







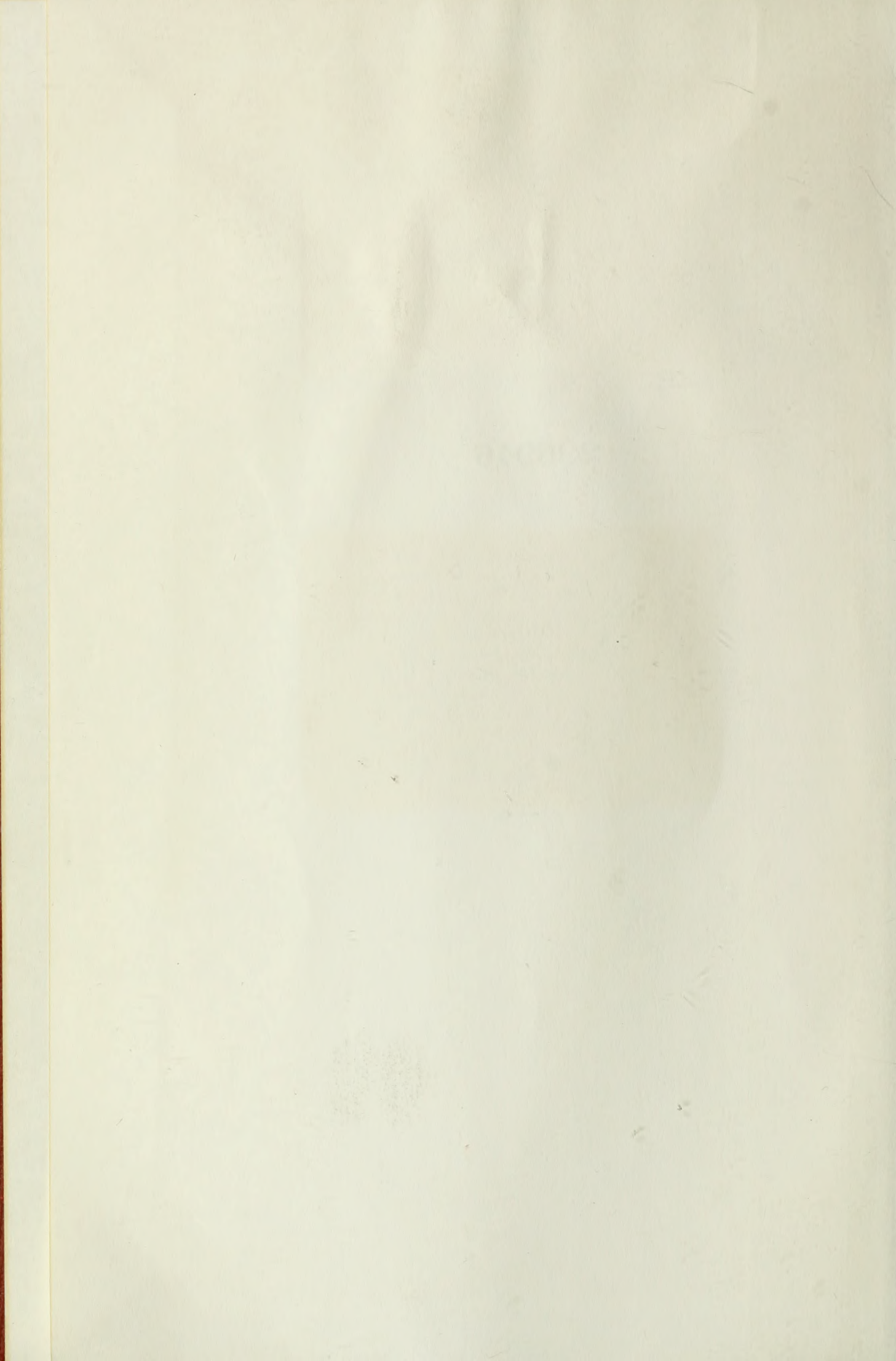
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# California Historical Quarterly

*Spring 1973*

UNIVERSITY OF CALIFORNIA

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COVER: Performances of classic drama in outdoor amphitheaters were unknown in the United States until the turn of the century. At that time the residents of Point Loma theosophical community near San Diego introduced classic, Shakespearean, and their own plays to delighted audiences who came to the theosophists' new oceanside Greek theater. The well-attended productions frequently featured elaborate formal tableaux such as this scene of Socrates surrounded by his disciples from a play identified only as *The Aroma of Athens*. For a pictorial essay on the Point Loma theosophists—truth seekers who devoted their lives to universal brotherhood and the study of ancient erudite texts—turn to page 4.



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# California Historical Quarterly

VOLUME LII • SPRING 1973 • NO. 1

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# Eastern Thought on a Western Shore

## POINT LOMA COMMUNITY

by Paul Kagan and edited by Marilyn Ziebarth

**O**N A HIGH BLUFF above the Pacific Ocean near San Diego perches a pillared Greek temple, the remaining jewel on an architectural brooch which was once the theosophical community known as Point Loma. Founded at the turn of the century, Point Loma housed a population of 500 in 1910 and maintained itself for another thirty-odd years, becoming a center of theosophical thought in the United States.

Organized during a period of disillusionment with existing institutionalized religions, Point Loma theosophists dedicated themselves to the study of Eastern literature and religion through which they would come to understand the few essential truths from which all religions flow. By their lights concepts such as the unity of God, immortality, and ethical living were the basics of existence at all times. Theosophists sought to prepare—in Edenic California where theosophy already flourished—a new, enlightened generation to lead the world to brotherhood. Of lasting importance to California, Point Lomans pioneered in educational philosophy and practices that are dogma in today's progressive schools. The community also introduced to America such sundry innovations as a Greek theater for the production of lavish plays and a typeface for the publication of a Sanskrit reading grammar. Relatedly, Point Loma helped acquaint Western man with the long ignored Eastern religious texts.

The original Theosophical Society was formed in 1875 in New York by Helena Petrovna Blavatsky and Henry Steel Olcott. Taking the philosophical cast of its two leaders, who were soon evangelizing in America, England, and India, theosophy became concerned with doctrines of karma (the necessity of the individual to pay for his misdeeds) and reincarnation (the mechanism through which he made compensation and thereby rose to perfection) as explanation for the existence of evil in God's world. Despite a denunciation of "HPB" (as she is known to theosophists) as "one of the most accomplished, ingenious, and interesting imposters in history" by the British Society of Psychical Research, Helena Petrovna Blavatsky managed to control the society and win numbers of prominent followers.

---

OPPOSITE: Point Lomans specialized in spectacular renditions of classic plays. This gypsy scene attracted nearby San Diegans to a performance of "As You Like It."



Katherine Tingley, sometimes called "Purple Mother" because of her fondness for that color, was forty-some years of age, childless though thrice-married, and an idealist and former philanthropist when she established Point Loma. Convinced of the correctness of her beliefs, she owned the community's property and set its policies.

On Mrs. Tingley's return from Europe early in 1897, she visited the Point Loma site and laid a cornerstone with characteristic ceremony. Dressed in a purple gown, she sprinkled corn, oil, and wine on the cornerstone and proclaimed it "a perfect square, a fitting emblem of the perfect work that will be done in the temple for the benefit of humanity and glory of the ancient sages."





*Point Loma's hotel-sanitarium was domed with blue glass, the temple with Mrs. Tingley's favorite purple glass. The immense bowls glittered with the reflected light of the sun; at night, they were illuminated from within. On top of the domes were ornamental glass spheres which heightened the impact of the already exotic community complex. Pointed-roofed, sky-lighted cottages for the pupils in the new school were also constructed, and one wealthy member, A. G. Spalding of sporting-goods fame, built a home for himself with a spiral staircase outside and a nine-hole golf course in the back yard.*

When HPB died in 1891, however, an intense struggle over succession erupted between Olcott, then in India, and William Quan Judge, a charter member who had led the society in America during HPB's absence. Most American theosophists stuck with Judge despite accusations against him of fakery, and they finally formed their own American branch of theosophists which claimed one hundred member chapters, California having more than any other state. (The other branch, Adyar, successfully operated, and still operates, its own lodges in America.) When Judge died in 1896, a remarkable woman named Katherine Tingley took control.

Although a relative newcomer, Mrs. Tingley convinced the society that former leader Judge spoke through her and skilfully used the occult credential of being a medium to gain control of the organization. (One small group defected from her new leadership, eventually to build their own community named Halcyon, or Temple of the People, near Pismo Beach. Another community, Adyarist Krotona, thrived first in Hollywood and later in Ojai.) While Mrs. Tingley set out in 1896 with a group of followers on another worldwide crusade, her representatives purchased 132 acres at Point Loma, adjacent to a United States naval base, on which her White City in the West could be raised. Little was built at Point Loma during the next three years





"Raja Yoga" means "kingly union" and signifies an attempt to bring physical, mental, and spiritual faculties into balance. Formal classroom instruction at the school was never more than three hours each day, but these hours were used with great efficiency. Young Raja Yoga students impressed visitors with their ability in spelling, arithmetic, music, and other subjects, and many Raja Yoga teaching methods, similar to Montessori techniques, were adopted much later in California schools.

Visitors frequently commented on the orderly, almost military atmosphere of Point Loma where saluting and military uniforms were common (opposite, right), and journalist Ray Stannard Baker remarked on the "paralyzing dignity" displayed by the Raja Yoga children (below). "Sitting at their tables . . . with singular quietude, even the little children gave the appearance of absorbed occupation." Through all their activities, a rule of silence was maintained, with all but essential conversation outlawed. Mrs. Tingley believed that silence fed the soul.







which Mrs. Tingley spent in gaining absolute control of the society, changing its name to "The Universal Brotherhood and Theosophical Society," and writing a new constitution giving her power for life. A theosophical congress was held there in 1899, however, amid the pageantry she loved: trumpets were blown, flags raised, invocations chanted, and *The Eumenides* presented with a cast of two hundred. San Diego newspapers were greatly impressed. Finally, in 1900, serious work began on the hotel-sanitarium, the temple, and the offices, homes, and cottages for the proposed theosophist school.

The Raja Yoga School, as it was first known, proved to be the most important experiment undertaken at Point Loma; not surprisingly, it reflected the philosophy of its headmistress. Paraphrasing the Jesuits, Mrs. Tingley declared: "Let me have a child from the time of birth until it is seven years old, and all the temptation in the world will not move it." The children at the Yoga school were from many backgrounds, although the adult residents were predominantly well-educated, middle and upper-middle class, and the school did not tamper with any previous religious training the children had received. Theosophy, however, was in the air.

Starting in 1900 with a few children, the school grew to 300 within ten years. Tuition ranged from no fee to \$2,000 annually. The children were divided into small groups under a teacher who stayed with them at all times. They lived together and were permitted to see their parents, only a few of whom lived at Point Loma, for only two hours on Sunday afternoons. Although determinedly unconventional the school quickly made a good





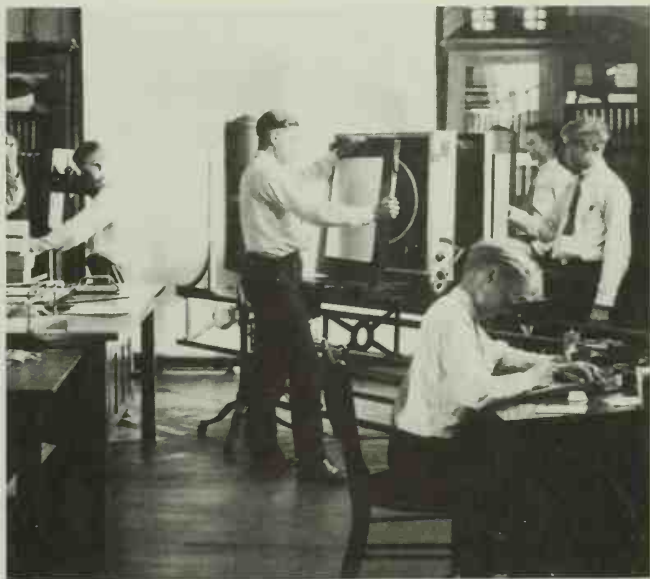
reputation for the variety and quality of educational and practical skills it developed in the Point Loma students.

Mrs. Tingley concentrated so much of her energy and resources in Point Loma, however, that the theosophy movement in the rest of the country suffered. Most of the lodges organized by Judge were disbanded, and many disheartened members went over to the Eastern-oriented Adyar theosophists. (In 1907 theosophists claimed 600 branches in forty-two countries.)

Mrs. Tingley drew much criticism for her autocratic behavior, too. A disillusioned San Francisco theosophist, writing to the *Chronicle* in 1902, called Point Loma a "freakish Oriental court," complained about the "foolish ceremonies" in which participants wore "long gowns and ridiculous hats," and expressed his belief that followers would soon be required "to crawl into Mrs. Tingley's presence on all fours."

The Raja Yoga School was also attacked by the New York Society for the Prevention of Cruelty to Children when, through the society's influence, eleven Cuban children en route to Point Loma were denied entry to the United States in 1902. The testimony against Point Loma included accusations that Mrs. Tingley called her spaniel "The Purple Inspiration," taught children that plants marry and have babies, and required children to stand for visitors and

*Outside the classroom, children joined one of the community's orchestras, played games, and worked in the gardens (which yielded more than 123,000 pounds of fruit in a single year) or in one of the community industries. No wages were paid for labor, and jobs were rotated to avoid monotony. Sometimes the schedule was interrupted for work on one of Point Loma's elaborate dramatic presentations which were performed in the amphitheater which accommodated 2,500 people. The educational goal of bringing all the faculties into balance was thus implemented by encouraging artistic children to do practical things, and practical children to do artistic things.*







Believing that classic drama dealt with eternal truths and mysteries, the Point Loma community frequently performed lavish productions of plays including Aeschylus' *The Eumenides* (left and below right) and Shakespeare's *A Midsummer Night's Dream* (below left). (In the *Furies*' endless pursuit of Orestes, for instance, Mrs. Tingley recognized the theosophical doctrines of karma and reincarnation.) Interested San Diegans regularly filled the Greek theater, permitting the productions to break even and sometimes realize a profit.





say, "We like our Lotus Mother and are glad to be here." She was also accused of considering herself a second Christ. The press enjoyed itself over all this, but Mrs. Tingley and her school were ultimately vindicated by inspectors who visited Point Loma and were favorably impressed by what they saw. The Cuban children were released and arrived triumphantly at the school.

Point Loma prospered for many years and pursued its principles with only occasional harrassment, but by the mid-1920's, its fiscal foundation had deteriorated considerably. Point Loma was always financially dependent on members' contributions; the school realized some profit, but none of the other projects were self-supporting. Many theosophist lodges around the country had closed or defected, and without their financial support, Mrs. Tingley was forced to rely more and more exclusively on a few wealthy backers. In 1927, some of the community's land was mortgaged, which allowed colony life to continue on its usual grand scale for a time.

Then, on a trip to Europe in 1929, eighty-two-year-old Mrs. Tingley was injured in an automobile accident, and, issuing orders to the last, she refused to be moved to a hospital in spite of her doctor's insistence. She died six weeks later.

Gottfried de Purucker, Mrs. Tingley's supporter since 1896, succeeded her as spiritual leader at Point Loma. Purucker dropped "Universal Brotherhood" from the title of the organization, replaced the name "Raja Yoga" with



Rodman W. Paul

*Edward S. Harkness Professor of  
History at the California Institute of  
Technology and author of many  
publications on western history*

## The Beginnings of Agriculture in California: Innovation *vs.* Continuity

THIS ESSAY is based upon a desire to discover whether the inevitable actually happened. Historians are fond of asserting that given a particular set of conditions, it was "inevitable" that such and such results would be forthcoming. A case in point is the history of California agriculture during its early decades under the American flag. Grounds exist for assuming that novel patterns, unlike those of the nineteenth-century American norm, would develop in California after 1848. But did they?

Consider the basic circumstances. How many other rural regions have seen their population increase nearly twenty-fold in less than five years, as California's appears to have done between the early months of 1848 and the close of 1852 (i.e., from perhaps 14,000 to 255,000)?<sup>1</sup> What is more, all of the new arrivals were of necessity consumers, since all men must eat, but almost none were as yet producers, and all had reluctantly become accustomed to paying very high prices for their food. That is the kind of situation that a farmer dreams of but never expects to encounter. With supplies coming in from places as distant as New York, and no sources nearer than Oregon, Hawaii, and Chile, the chance to profit by growing food in California was too obvious to be overlooked.

But was California capable of producing crops? To modern Californians, accustomed to the lush greenness of our artificially watered farms and suburbs, that will seem a mere rhetorical question. To Forty-Niners, coming from the humid lands of eastern America or Europe, the question was real. As that notable pioneer teacher of agriculture, Professor Edward J. Wickson, once remarked, "It was in California first of all that the American mind came into contact with arid, semitropical conditions."<sup>2</sup> The rainy but mild and snowless winter was clearly an asset, even though the total amount of precipitation seemed disturbingly low, but the remaining six months, with no

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NOTE: By special arrangement with the Institute of American History at Stanford University, the California Historical Society is privileged to publish a series of papers prepared by nine distinguished historians and read before a conference celebrating California's bicentennial, held at Stanford in 1970. Five of the essays, including the following one by Professor Paul, have been published first in the *Quarterly*, and all will be issued by the Society this spring in book form.

rain and with fierce heat that dried and cracked the ground, were an obstacle such as easterners had never before faced. Equally strange were the soils, soils that were so characteristic of an arid climate but so unlike those of a "normal" region. The soils were seriously deficient in humus but rich in minerals; they were blessed with great depth and puzzling variety, but were prone to alkali poisoning.

After watching successful attempts at farming in 1850, Sacramento's little newspaper declared:<sup>3</sup>

Those who have but recently arrived here, and those living in the States, are hard to be convince[d] with regard to the productiveness of California soil. The fact of it is, most things we meet with here are so diametrically opposite to all we have before seen and been accustomed to, that it require[s] a step into the imaginative before we can fully realize and appreciate [what we have here].

In his Thanksgiving Day sermon that year, a Sacramento minister declared gratefully to his congregation: "Contrary to all our previous assumptions, the State has vast resources of wealth in her soil."<sup>4</sup> The men of 1849 and 1850 should have been less skeptical, because there was quite enough evidence of agricultural achievements by the antecedent Spanish-speaking civilization, together with beginnings by other settlers who had come shortly before the gold rush. It is true that the most impressive accomplishment of the Spanish-Mexican era, the missions, with their orchards, grain fields, vineyards, and irrigation works, had decayed as Hispanic California's attention shifted to the great undeveloped cattle ranches, but nevertheless the Spanish and Mexican settlers offered to their American successors models—admittedly primitive ones—that suggested that it was possible to mature grain in this arid land, and that, especially by resort to the unfamiliar practice of irrigation, it was possible to grow grapes and all kinds of fruits, including such exotics as oranges, olives, and figs.

The incoming population of 1849 and the 1850's was cosmopolitan enough to respond to both the opportunities implicit in the unusual physical and economic environment and the suggestions explicit in the Hispanic model. Rarely has any American frontier received such a variety of talents and backgrounds. Where most frontiers were settled by expansion from a contiguous and comparable frontier a little further east, this one was populated partly by what contemporaries called "western men," coming overland from the Mississippi Valley, but even more so by settlers who came, often by sea, from the Middle Atlantic states, New England, and the Old Northwest of Ohio, Indiana, and Illinois. With them came men from the principal countries of Europe and from every civilized nation.<sup>5</sup>

Among the agriculturally-minded part of this mixed population were some remarkable individuals who assumed leading roles in the 1850's and 1860's. Notable examples were the Lewelling brothers and their partner



William Meek, pioneer nurserymen who moved their operations down from Oregon to California; G. G. Briggs, whose \$25,000 return on ventures in watermelons in 1851-1852 financed his first importation of peach, apple, and pear trees from his former home in New York State; Agoston Haraszthy, the Hungarian who became the state's best-known experimentalist and publicist for grapes and wine; A. Delmas, whose grape cuttings from his native France survived a six-month voyage around Cape Horn; J. W. Osborn, a former sea captain and merchant in the China trade, who became proprietor of a wheat ranch and model farm in Napa Valley; and E. L. Beard, whose varied career prior to California had included milling, pork packing, stone quarrying, and government construction contracts, who became in California a highly successful producer of grain, potatoes, fruit, and grapes—before he went bankrupt through too much speculation in land. These men tended to be part farmer, part entrepreneur, and part speculator.

Much of the opportunity open to such men was based on the simple fact that although California had a large consumer population, the state was singularly isolated from major external sources of supply, the nearest being the Atlantic Coast and Mississippi Valley. The mines and the new city of San Francisco together offered farmers a local market uniquely large for an agrarian frontier, and after California's own gold mines began to dwindle in the later 1850's, new gold and silver mines in other far western territories, especially the Comstock Lode, provided whole new markets, while San Francisco, as the queen city of the Pacific Coast and the hinterland, grew into a thriving urban center that claimed 57,000 citizens in 1860 and 234,000 in 1880. Profits from mining, merchandising, transportation, and the professions—all surplus funds tended to drift into San Francisco—generated a supply of locally-controlled capital that financed many a venture in rural California and that greatly reduced the normal frontier dependence on absentee investors and lenders.

It was as if California, in an economic sense, were in fact an island, just as those attractive old seventeenth-century maps conceived it to be. There were potentialities for trouble, of course, for while isolation offered the California farmer protection from external competition, isolation would, equally, make exporting difficult if California-grown crops ever exceeded the needs of the local market. It was a long, long way around Cape Horn or across the Pacific to reach the nearest major population centers.

Viewed in their totality, early California's characteristics were as distinctive as one could ask for: a bizarre natural environment dominated by an arid climate; an Hispanic heritage that suggested possible ways of living with that environment; a cosmopolitan and speculatively-minded crowd of new farmers, some of whom were expert and some ignorant; a large local market; and geographic isolation. The sum of all these seemed to prophesy an unusual history.

When a new American agriculture began, its birthplace was not in South-

ern California, where Hispanic settlement had started, but rather in the central part of the state, where a chain of natural waterways existed, consisting of San Francisco, San Pablo, and Suisun bays, and the Sacramento and San Joaquin rivers that flowed into the bays, together with Monterey Bay, which could be reached by a short trip down the seacoast from San Francisco. Since steamboats and small sailing craft began using these waterways at the very start of the gold rush, the central region had transportation facilities such as no other part of the state possessed prior to the railroads. By something more than a coincidence, rainfall was greater in the central region than farther south, and wherever the ocean fogs and sea breezes penetrated, the temperatures were less extreme. If agriculture was to be re-established in a new American California, this was the most promising area in which to begin.

To a surprising degree the scattered, small-scale attempts at farming in 1850 and 1851 forecast future trends. On the one hand, from the old mission orchards and vineyards at Santa Clara and San Jose fresh apples, pears, and grapes began "flooding" the markets of San Francisco in 1850, and vegetables and potatoes appeared in the markets in such abundance as to seem practically a "spontaneous production of the soil." The press was sure that those who went into farming "have been more universally fortunate than those who have engaged in mining."<sup>6</sup> On the other hand, in 1851 the leading newspaper of San Francisco announced firmly that "there can be no finer grain country in the world," and that grain definitely could be grown without irrigation. The only problem was the shortage of harvesting machinery and flour mills.<sup>7</sup> In other words, both intensive agriculture, of several kinds, and the extensive type represented by grain were not only possible but profitable. Which one would prove to be the more important?

Late in life Professor Wickson, who had served California agriculture since 1879, had occasion to explain why wheat played such a dominant role in the farming that sprang up after the gold rush. He stated:<sup>8</sup>

Wheat-growing by Americans came about in this way. During the first decade of greatest gold output, there was wide trial of agricultural production, chiefly for home use and to displace imports. This was successfully done with many products that did not require much skilled labor, but the crops which could be most easily, quickly and cheaply produced were demonstrated to be cereal grains. . . . For these reasons, California fell into wheat at first just as do all other new countries.

"Just as do all other new countries." That simple explanation, advanced by a highly qualified observer, deserves reflective attention. The antecedent Spanish-speaking civilization had shown California's potentialities for doing something unique in fruits, grapes, and semi-tropical exotics, and during the 1850's pioneer orchardists, nurserymen, and viticulturists made heroic and very well publicized efforts to develop their specialties. In fact they enjoyed a success that would have been considered notable if it had not been overshadowed by the dramatic expansion of wheat. Wheat quickly became Cali-

fornia's principal form of agriculture and so continued for nearly fifty years. In this California simply duplicated the earlier experience of New York and Pennsylvania, or the contemporaneous development of the midwestern prairies or the Great Plains—or, for that matter, the contemporaneous development of Australia, Argentina, Canada, and many another "new country."

Despite truly evangelistic contemporary arguments to the contrary, orchards and vineyards were not as yet full alternatives to wheat in California, because they required a considerable initial investment, they gave no significant return until the trees or vines had matured—a matter of some years—and they demanded skill and understanding. Much uncertainty existed initially over whether irrigation, with its costly preliminary investment, was made necessary by California's dry summers. The experience of the 1850's demonstrated that in the central region, with its better annual rainfall, irrigation often was not a necessity and sometimes was not even desirable, but for many people doubt over this key question continued to be a harrassment. Still others had justifiable worries about transportation and markets for so perishable a commodity as fresh fruit. Indeed one reason for the early boom in grapes and wines was the belief that wine could be exported successfully by sea, in addition to finding local markets.

Reliance upon wheat spared the would-be farmer from having to worry about these rather intricate considerations, and grain made possible a much wider choice of land. The best informed opinion asserted that without irrigation three-fourths of California's tillable acreage could be used only for grain. The facts that grain offered a quick return, with payment at the end of the very season in which the wheat was planted, and that it demanded a minimal initial investment were attractive features in a land where rates of interest on capital were high and where title to much of the best and most accessible land was shrouded in uncertainty. The huge tracts covered by Spanish or Mexican grants were of potential value, but until title was settled and the rival claims of alleged owners, squatters, and tenants adjudicated, few cared to risk money on permanent improvements. Many an early wheat farmer was content to lease land from a Spanish grant claimant, obtain equipment on credit, and go into business at minimum risk to himself.

Nor were the new California grain farmers temperamentally inclined toward the long-range thinking implicit in planning an orchard or vineyard. Irritably a leading newspaper said of the average farmer that it saw arriving from the east:<sup>9</sup>

He very likely is too impatient to plant fruit trees and vines. He can hardly think of waiting for them to grow. No! he must get his returns immediately. He came to California for a fortune, and if he is not making it rapidly he is discontented and eager to try something else.

John S. Hittell, the State's leading economic writer, gave this description in the 1863 edition of his compendium:<sup>10</sup>

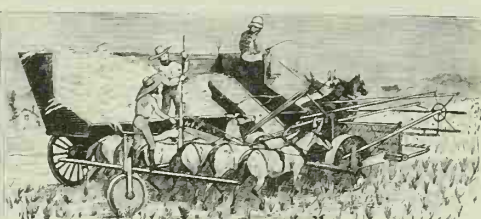




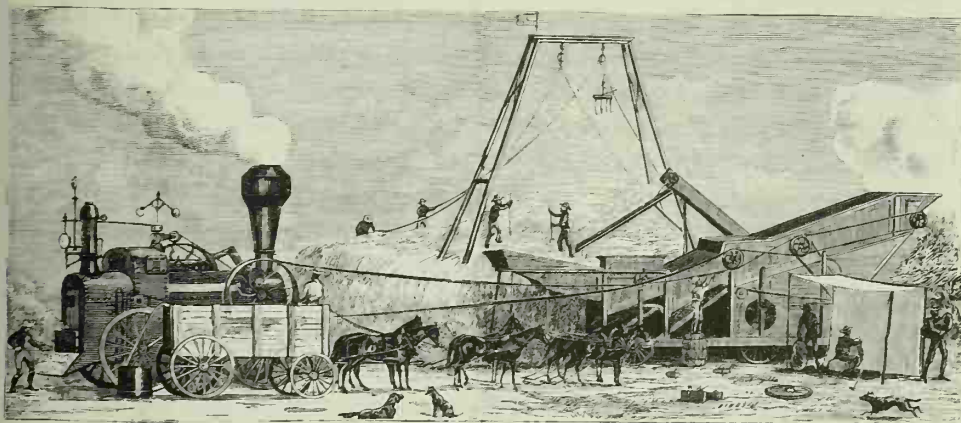
NOVEMBER: PLOUGHING



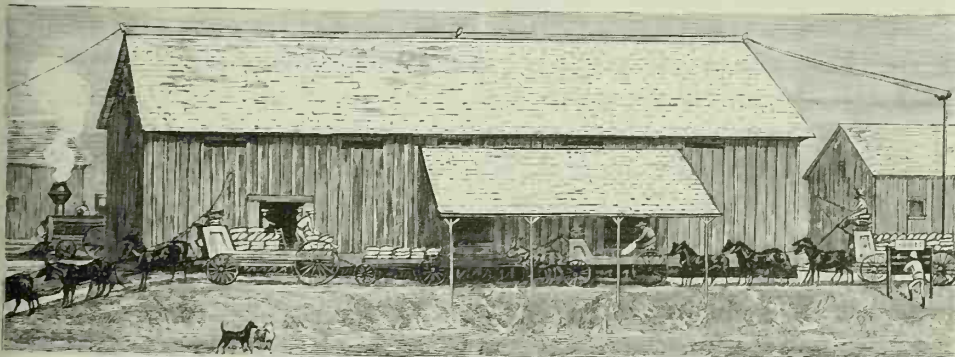
JANUARY: BROAD CAST SOWING



JUNE: HEADING



JULY: THRESHING



JULY: WAREHOUSING

WHEAT FARMING IN CALIFORNIA

The July 14, 1883 issue of *The Graphic* offered curious Englishmen this pictorial primer about the wheat-growing cycle in far-off California.

The farmers generally are anxious to make as much money as possible, and as soon as possible, without regard to the future value of the land. Some of them are not permanent residents of the state, and intend to leave it so soon as they get a certain number of dollars together; others are farming land the title of which is in dispute. . . .

Surely the California wheat industry was one of the most extraordinary of all agrarian episodes. Where wheat hardly had a beginning before 1852, even in 1854 and 1855 experimental shipments were being sent to New York, Australia, South America, Russian Alaska, and Great Britain, in the hope of finding outlets for a prospective surplus. By the end of the 1850's Californians were gloomily predicting disaster if a major overseas market were not discovered. In the middle and later 1860's Liverpool was established as the destination for the great majority of San Francisco's wheat exports, and from that date until the end of the century, shipments between the two cities via Cape Horn formed a commerce that was, as a contemporary specialist remarked, "very distinct from the rest of the wheat trade of the United States. . . ." <sup>11</sup>

To the extent that they created something that was independent of both the Chicago wheat pit and New York, the California shippers were genuinely innovative. Ironically, much of the credit should go to that favorite whipping boy of the farmers, the middleman. It is true that a few of the largest wheat growers tried chartering ships and sending their cargoes to England "on their own account," and that for a time during the 1870's the farmers resorted to cooperative shipments through the Grange, but fundamentally the Liverpool trade was the creation and continuing concern of the middlemen and the British. British grain prices, British shipping, British insurance, and ultimately British finance came to dominate the trade to such a degree as to make the California wheat industry almost a colonial appendage to Victorian Britain. <sup>12</sup>

Credit for technological achievement is harder to assign. When wheat planting began in the 1850's, the need for labor-saving machinery was apparent, because all rates of pay in California were inflated by the real or alleged return that a man could expect if he went to work in the mines. The extensive flat, virtually treeless valleys, relatively free from stones, were well suited to horse-drawn machines, and later to steam-powered ones. The ownership of land in big tracts, under "Spanish" grants, made for efficient use of machinery on something comparable to an industrial mass-production basis.

Starting in the 1850's, California became an eager importer of eastern and middle western equipment and an equally eager designer and builder of its own, but unlike mining machinery, which became an unsurpassed California specialty, California farm-equipment manufacturers, faced by high costs for skilled labor, metal, and hardwoods, had to share their market with outsiders.

Few if any parts of the world carried to greater extremes the process of

mechanizing wheat raising and harvesting. Nor did many regions rival California in size of individual operations. To manage a big California grain ranch required more executive ability than knowledge of seed and soil. A transient army of men, horses, mules, and massive machines had to be organized into a temporary industrial operation each harvest season, and a much smaller crew at plowing and seeding time. In between someone had to manage the omnipresent outstanding debts, watch Liverpool prices, and make decisions. Frank Norris has given us an unforgettable picture in his novel *The Octopus*.

The curious thing is that so many people recognized from almost the beginning that the wheat ranches were a temporary phenomenon. Farm journalists and state fair speakers never ceased to criticize California's wheat industry for being temporary and speculative in both concept and execution, with the result of giving "greater regard to quantity than quality in work or product."<sup>13</sup> Wastage of grain was said to be considerable, and there was frequent complaint that not enough care was taken to keep foreign matter out of the grain. The ranches were accused of exhausting the soil through shallow plowing and failure to fertilize or rotate crops. Few attractive rural homes were built, it was said, and few kitchen gardens or ornamental shrubs planted. So specialized were the ranches that they bought their household vegetables and fruits from peddlers, their flour and canned goods from a store—and on credit. There must have been a basis for such criticism, for at the end of the century wheat ranching failed with extraordinary suddenness and left little to mark its passing. Increasing production throughout the world meant declining international prices at a time when Californian yields per acre were dwindling and more profitable uses for the land were coming forward.

It is easy to become so critical of the wheat growers that one forgets that they did California a great if temporary service. Without the huge wheat exports, that in the record season of 1881-1882 filled the holds of over 500 ships at San Francisco, California's continued growth after the Gold Rush would have been much slower and the rural regions would have been left for decades as undeveloped livestock ranges. In the pre-irrigation era the only universal alternatives to wheat were livestock and barley. The latter, a traditional poor man's crop, because it can survive under difficult conditions, was in fact raised in quantity as feed for the several hundred thousand draft animals used to haul supplies to the mining regions.

But for a more intensive and more permanent use of its lands, one capable of sustaining a larger population and a richer community life, California kept turning hopefully to temperate-climate fruits, such as peaches, pears, and apples, and to grapes. Both made great progress during the 1850's and 1860's, and yet both were still struggling with major problems during the 1870's and 1880's, which was the era in which railroads and irrigation at last began



to increase the proportion of California where intensive farming was possible.

What stands out from the history of both fruit and grapes was the relatively quick and resourceful way in which a few leaders attacked technical problems connected with selecting and growing fruit and grapes, as contrasted with the sluggishness of the rank and file in following the leaders' advice, and the prolonged delay in evolving satisfactory marketing arrangements. The latter delay was connected with the former. With too many producers constantly entering the field, overproduction for California's limited market was endemic, and yet a bad situation was made worse by a pronounced tendency of new and inexperienced growers to force their product into the market all at once, because of needing immediate cash, and to select and pack their crop, or make the wine, so badly as to reduce its value and give the whole industry a bad name.

The leaders' role during the 1850's and 1860's arouses one's respect. Agoston Haraszthy genuinely deserves to be called the "father" of the wine industry. A pioneer grower himself during the 1850's, he made Sonoma County the center of research and information concerning viticulture. He was one of the first to prove that in central California a better quality of wine could be made from grapes that had *not* been irrigated. He wrote a widely used manual on grape growing and wine making, and after importing many varieties of European vines for his own purposes, in 1861 he persuaded the state legislature to endorse his proposal to make a five-month survey of European vineyards, so as to study the best practices and bring back 200,000 cuttings and rooted vines from France, Germany, Italy, Spain, Portugal, and Hungary. A few years later, when California wines needed tariff protection, Haraszthy was the agent sent to Washington.

No one individual played so notable a role in developing temperate-climate fruits, but as Professor Wickson later remarked, "California was very fortunate in numbering among the early settlers so many men with horticultural tastes, skill and experience."<sup>15</sup> Like Haraszthy, some of these early leaders concluded that in central California irrigation was sometimes neither necessary nor desirable, and by 1856 some small irrigation facilities were actually abandoned. In lieu of irrigating, careful cultivation was urged, to keep down weeds and thus conserve moisture. Pruning caused another debate, before general agreement was reached on low pruning, designed to facilitate picking, reduce danger of wind damage, and protect the trunk from the fierce California sun.

Far more subtle, and yet ultimately the key to success, was the slow-coming realization that central California offered a wide variety of local climates and soils which must be matched to the equally varied possible types of fruit—and to the market for each. By 1870 the State Board of Agriculture thought that substantial progress had been made toward that complex objective. In the process young trees and seeds from all parts of Europe and America had been tried.

The percentage of sheer loss caused by all this experimenting and by the constant presence within the industry of inexperienced practitioners must have been high. In 1860 a leading pomologist estimated that "of all the fruit trees sold in California, not more than one-third of them ever survive to a bearing age; and it is safe to affirm that not more than a half of this third will ever produce any considerable amount of good fruit."<sup>16</sup> Diseases, such as the curled leaf blight that struck so many peach orchards, caused further losses.

But the greatest problem was the most obvious one: the limited market offered by San Francisco, the mines, and the few substantial communities. By universal report, a high percentage of each year's crop was left to rot in the orchards because high labor costs and low prices made harvesting unprofitable. The *Sacramento Union* remarked in 1858:<sup>17</sup>

Between the prodigality of nature and the deficiency of consumers, the hands of our fruit-growers are awkwardly tied. . . . Yet our horticulturists are generally making money from the one-third of their crops gathered and sent to market.

With mixed success, efforts were made during the 1860's to pack fresh fruit for the long wagon haul to the Comstock Lode and other new mining regions. The opening of transcontinental railroad service in 1869 provided a much brighter hope, and yet for some years the railroad proved an unreliable outlet. High charges by the railroads, inexperience with the then primitive art of refrigeration, and equal inexperience with marketing arrangements in middle western and Atlantic Coast cities all caused losses on many shipments and scant profits on others. No real solution was possible until, in the 1880's, the growers hit upon the device of cooperatives, through which they could bargain with the railroads, supervise shipments, and coordinate marketing.

It is revealing to discover that canned, dried, and other preserved fruits and raisins were being imported into California in large quantities—and to a value of nearly a million dollars a year—until the middle 1860's, which is precisely the era in which every California orchard was said to be burdened with fruit that it could not market. Why it took so long to develop canning and drying facilities is not clear; nor is it clear why such plants were having difficulties until well into the 1870's.

All of the discussion up to this point has had to do with temperate-climate fruits and grapes. The early orchardists concentrated on peaches, pears, and the like because both growers and their potential customers had been familiar with them "back home" and because early tests showed that these species were well suited to central California. The most popular semitropical fruit was the orange. Throughout the 1850's and 1860's orange orchards were confined primarily to Southern California, and more particularly to Los Angeles County, although individual trees and small orchards had been tried throughout a wide range of latitude. Until at least 1870 there was a firm belief that oranges would not be profitable north of Santa Barbara.

Southern California was, of course, an undeveloped region prior to the boom that began in the middle 1870's and stretched through the 1880's. Planting of orange orchards was limited and arrangements for marketing the crop were primitive. But it is worth noting that oranges were being imported into San Francisco from Mexico, the Hawaiian Islands, and Tahiti until the 1870's. Not until 1872 did the supply of oranges from Los Angeles equal the supply of foreign oranges in the San Francisco market.

Lack of rapid and low-cost transportation was one reason for the slow development of orange culture. The need for expensive irrigation facilities was another. Still a third was the late introduction of the two key species, Navel oranges in 1873 and Valencias in 1876. Former Governor Downey warned that no one who had only limited or even moderate means should go into orange growing, for too long a wait must ensue between seed and bearing—at least nine years, apparently.<sup>18</sup> Olive trees, another promising arid-land possibility, likewise had a minimum waiting period of nine years.

This essay opened with the question of whether, given the special characteristics of California during its early years under the American flag, a distinctive result must "inevitably" ensue. Perhaps the most significant point about the several patterns of agriculture is that the two biggest, wheat and fruit, were both attempts to reproduce in a semi-arid environment, and under new economic and social conditions, industries that had long been established "back home." The pioneers' instinct seems to have been for innovation in method rather than objective.

Accomplishing this purpose with fruit proved to be a more complex and sensitive task than with wheat, because it demanded simultaneously an intimate understanding of the natural setting, and a firm comprehension of the realities of the market place and of transportation thereto. But the achievement of the wheat industry in marketing and harvesting should not be denigrated. The wine growers strode into a domain entirely new to all but a very few Americans, and with the benefit of much borrowing from the old wine districts of Europe, they made notable progress, though subject to cycles of alternating prosperity and depression. Semitropical fruits, on the other hand, were confined geographically to one of the less advanced and more isolated parts of California and accomplished only a modest amount prior to the last twenty years of the century.

It is easy to see how much the cosmopolitanism of California's early population helped in creating each of these patterns of rural industry. Neither wine nor fruit would have survived without a core of experienced, varied, and resourceful leaders from both America and Europe. Far more difficult to detect is influence exerted by the antecedent Spanish-speaking culture. Spanish law left its firm impress on land titles and water rights, a few bits of Spanish nomenclature and practice survived temporarily in early irrigation efforts in Southern California, and the Mission grape was widely used in the



early vineyards, until it could be replaced by better European species. But that is about all. Apparently the Spanish-Mexican model was too primitive to be of lasting importance.

The influence of the market is intriguing. California's local market was big enough to encourage substantial beginnings with several crops, but not big enough to absorb the large outputs that quickly resulted. Then began the search for external markets. At that point a nonperishable item like wheat had great advantages over fresh fruit, with wine somewhere in between.

Some, then, of the characteristics that made California so unusual at the opening of the American era did indeed prove of compelling importance; others of varying or even slight significance. History would be clearer if it were simpler. The trouble is that it doesn't come that way.

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## James Ohio Pattie and the 1827-1828 Alta California Measles Epidemic

AMONG HISTORIANS there is general agreement that an epidemic occurred in Alta California in 1827-28. However, some confusion exists about which disease, measles or smallpox, was responsible for it. For example, Sherbourne F. Cook, in his "Smallpox in Spanish and Mexican California (1770-1854)," states that smallpox<sup>1</sup> was the cause of the epidemic and in his "Population Trends among the California Mission Indians," published a year later, that it was measles<sup>2</sup>. Henry Harris, in *California's Medical Story*, says in one section that the disease involved was measles<sup>3</sup> and in another that it was smallpox<sup>4</sup>. Both Hubert H. Bancroft<sup>5</sup> and Father Zephyrin Engelhardt<sup>6</sup> attribute the epidemic to measles. In his *Personal Narrative*<sup>7</sup>, James Ohio Pattie maintains that the epidemic was due to smallpox and that he vaccinated 22,000 persons against it.

Interest in the 1827-28 epidemic increased when a study of the death registers of Missions San José, Santa Clara de Asís, and San Francisco Solano revealed a number of entries for 1828 in which death was attributed to measles. There was no mention of smallpox, even though S. F. Cook states in his smallpox paper that two of these missions, San José and Santa Clara de Asís, experienced very high mortalities from this disease in 1828.<sup>8</sup> Because of these findings and the contradictory statements in the literature, an investigation of the original mission records was undertaken in an effort to obtain factual information about the 1827-28 epidemic.

In gathering data it was found that the mission death registers (*Libros de Difuntos*)<sup>9</sup> occasionally give the cause of death. In addition, the annual and biennial reports (*Informes*),<sup>10</sup> which were furnished the president of the missions and the College of San Fernando in Mexico, sometimes mention a specific disease when it was responsible for an unusually high number of deaths.

Study of the original missions records reveals that seventeen of the twenty-one missions were involved in the epidemic. Only missions La Purísima Concepción, Santa Inéz, San Luis Obispo, and San Antonio de Padua escaped the outbreak. This good fortune may have been due to the absence of travelers between the infected missions and the "clean" missions during

the epidemic or, if there had been travelers, that they had arrived while in the noninfectious incubation period (ten to fourteen days, sometimes up to twenty-one days). Also, the possibility exists that, like Purísima, the other disease-free missions may have experienced local measles outbreaks in the not-very-distant past, as a result of which an appreciable number of persons would have acquired immunity to the disease. This herd immunity could have provided a measure of protection to the non-immune.

During the 1827-28 epidemic approximately 1,050 more than the average number of deaths occurred at the seventeen affected missions, a seventy-six per cent increase in the overall death rate. The disease struck at both adults and children. The adult death rate during the epidemic was forty per cent higher than average. The increase in the child death rate was a very dramatic one hundred twenty-two per cent. Death rates for the individual missions are presented in the chart below.

AVERAGE AND EPIDEMIC DEATH RATES<sup>A</sup>

MISSION	AVERAGE CRUDE DEATH RATE <sup>B</sup>	EPIDEMIC DEATH RATE		
		CRUDE	ADULT	CHILD
San Diego de Alcalá	54	83	57	210
San Luis Rey	37	96	44	224
San Juan Capistrano <sup>C</sup>	43	119		
San Gabriel Arcángel	62	107	88	159
San Fernando Rey	39	97	83	159
San Buenaventura	54	76	50	203
Santa Barbara	62	120	71	312
San Miguel Arcángel	57	123	87	290
Nuestra Señora de la Soledad <sup>D</sup>	68	132		
San Carlos Borromeo	85	217	138	395
San Juan Bautista <sup>C</sup>	78	192		
Santa Cruz	84	145	112	305
Santa Clara de Asís	90	119	80	375
San José	95	121	108	222
San Francisco de Asís	54	70	50	235
San Rafael Arcángel	34	56	44	102
San Francisco Solano	73	111	97	148

A. Rates per 1000 inhabitants.

B. This rate was calculated by averaging the 1826 and 1828 death rates for those missions in which the epidemic occurred in 1827 and for the years 1827 and 1829 for those in which it occurred in 1828.

C. No annual or biennial reports exist for this mission, thus it was not possible to correlate all death rates.

D. The death register for this mission is missing and the information in the annual and biennial reports is insufficient for a further breakdown of death rates.



The epidemic started in October of 1827 at Mission San Gabriel Arcángel and ended in June of 1828 at Mission San Francisco Solano. It progressed from south to north and most likely was carried by boat from Mission San Gabriel Arcángel to Missions San Carlos Borromeo and San Francisco de Asís. The disease spread from these three foci to the surrounding areas (see map), and, in two instances, the transmission is clearly documented. Entry number 3968 in the death register for Mission San José of March, 1828, states that Floro, "a good Christian" who was "convalescing" from the measles, had himself brought down from Mission Santa Clara to go to confession, but he arrived sick and, within forty-eight hours, died from the disease. Similarly, the biennial report of Mission San Rafael Arcángel for 1827-28 mentions that a number of children infected with measles at the Presidio of San Francisco had been transferred, possibly for treatment, to San Rafael.

It was not possible to determine how measles was introduced into Alta California, nor is there any clinical description of the disease in the original mission records. However, there is good reason to believe that the missionaries' capability to differentiate between smallpox and measles went beyond waiting to see whether or not the survivors were "pocked," since all had had experience in the Mexican missions where these diseases were well known. Moreover, not only did their training for missionary work provide them with considerable practical knowledge of medicine, but the Franciscans had long operated dispensaries for their Indian students which in Mexico City became the foundation for the famous Real Hospital de los Indios.<sup>11</sup>

Because study of the original mission records failed to provide any documentation for the presence of smallpox in Alta California in 1827-28, the literature becomes the most likely source for the confusion about whether measles or smallpox was responsible for the epidemic. For this reason careful attention is given to the following frequently quoted sources of information about medical matters in the missions.

S. F. Cook's contradictory statements about the epidemic have already been mentioned. Evidently, in his smallpox paper he accepted Pattie's statement that the epidemic was due to smallpox and devoted considerable effort to a review of the portion of *Personal Narrative* dealing with the vaccination episode which he finds quite feasible. However, in his population trends paper which was published one year later, Dr. Cook attributes the epidemic to measles, having changed his mind for some undocumented reason. He did not use the original mission records but recognizes that they are the ultimate source, stating that if they still exist, they would be so incomplete and scattered that assembling them would involve a great amount of work which probably would not be justified by the results.<sup>12</sup>

Dr. Henry Harris, who also made conflicting statements about the epidemic, relied upon the *Personal Narrative* of James Ohio Pattie, of whom he speaks highly,<sup>13</sup> for his assertion that the epidemic was due to smallpox and

upon the works of Hubert H. Bancroft that it was due to measles. If he had other sources, they remain undocumented.

Father Zephyrin Engelhardt, who devoted a lifetime to the study of the missions, remarks in his *Missions and Missionaries* that the precautions taken by the government and the missionaries seemed to have prevented the spread of epidemics other than measles and fevers and, further, that there is no record of smallpox having occurred prior to 1838.<sup>14</sup>

Hubert H. Bancroft, who had sources at his disposal which no longer exist,<sup>15</sup> states that the epidemic of 1828 was due to measles. In his *History of California* he mentions that there is no record of any smallpox epidemic at this time or of James Ohio Pattie's tour<sup>16</sup> and that "his (Pattie's) dates are all wrong."<sup>17</sup>

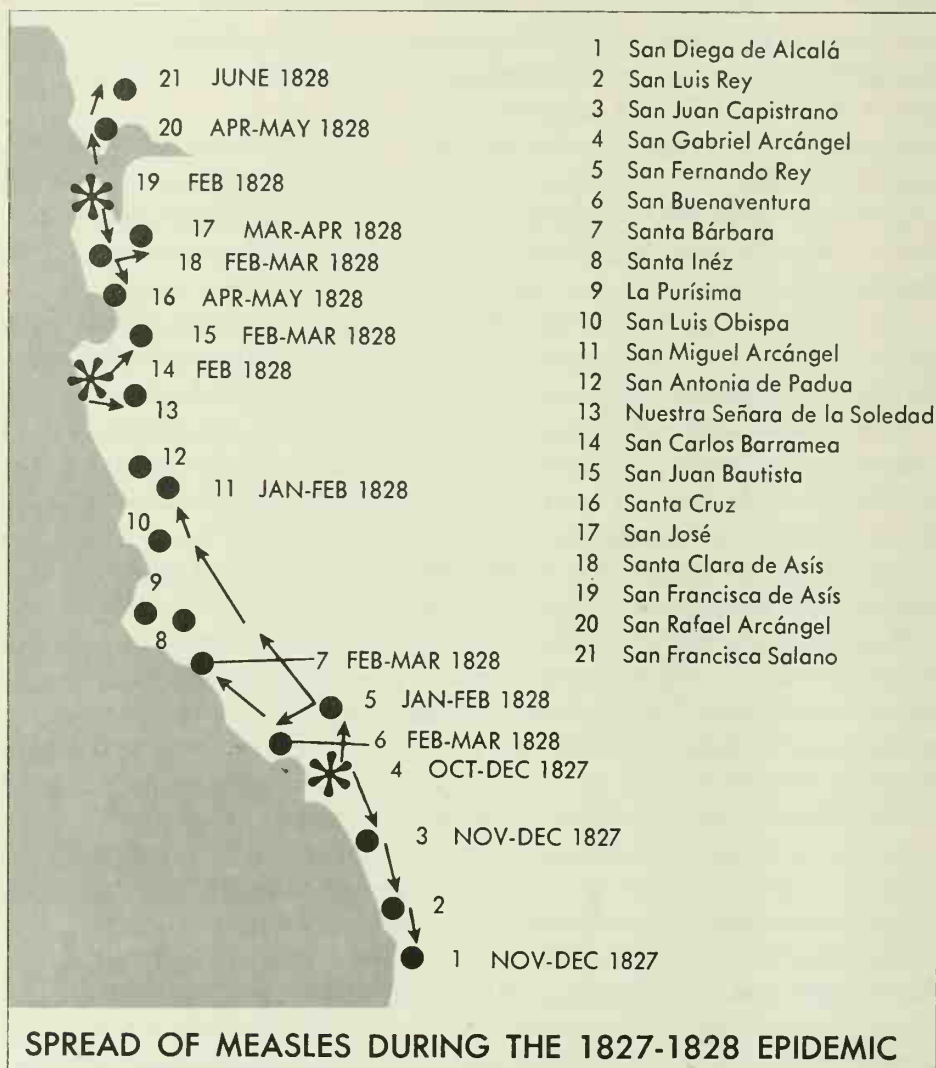
James Ohio Pattie, who travelled from Missouri to California with a group of fur traders and prospectors, published an account of his wanderings upon his return east in 1831. The whole group had been arrested upon entering California without the proper papers and imprisoned in San Diego. In *Personal Narrative* he states unequivocally that the 1827-28 epidemic was due to smallpox, and, thus, this work became the primary source for attributing the epidemic to this disease.<sup>18</sup>

Separating fact from fiction in this controversial work is a challenge, and most authors despair of working out its chronology. For example, Joseph P. Hill of the University of California's Bancroft Library was able to unravel Pattie's tale up to 1826, the portion which deals with his adventures prior to arrival in California. He concludes that this part of the narrative is really an account of the Miguel Robidoux and Ewing Young expeditions which Pattie is passing off as his own.<sup>19</sup>

Milo Milton Quaife, who wrote the introduction for the Lakeside Press 1930 reprint of Pattie's book, considers it a tale of stirring adventure. However, he admits that from the point of view of its accuracy and its importance as an historical source, something remains to be said.<sup>20</sup>

William H. Goetzmann of Yale University, writer of the introduction for the 1962 reprint of the *Personal Narrative*, comments that although the precise factor of truth in the work will never be known, its use as a source continues.<sup>21</sup> In his opinion, in spite of the obvious inaccuracies, it is a dramatic story written by a skilled teller of "tall tales" and makes for good reading.<sup>22</sup>

The doubts about Pattie's veracity are proved well founded by the investigation of the original mission records and the epidemiological study of the 1827-28 epidemic. Actually, none of Pattie's information about the epidemic can be correlated with the records. He states that the epidemic started in the north,<sup>23</sup> when in reality it began in the south at Mission San Gabriel Arcángel in November 1827 and ended in the north at Mission San Francisco Solano in June 1828. He remarks that General José María Echeandía had



Measles broke out in Southern California in October of 1827 at Mission San Gabriel Arcángel. Then the disease traveled, perhaps by ship, to Missions San Carlos Borromeo and San Francisco de Asís. From these three infected settlements, the epidemic spread to neighboring missions, ravaging seventeen of Alta California's twenty-one church communities before it ran its course in mid-1828.



told him that one of the priests had died from smallpox,<sup>24</sup> but there were no deaths among the missionaries at this time.

Careful comparison of the information contained in Pattie's account of the vaccination episode with that in the records reveals that it, too, is filled with discrepancies. According to Pattie, Governor Echeandía released him from prison after he had agreed to perform vaccinations against smallpox.<sup>25</sup> He states that he started to vaccinate in San Diego on January 18, 1828, finished on February 16, and started his journey north on February 18, 1828.<sup>26</sup> These dates must be incorrect, since Pattie's *Carta de Seguridad*,<sup>27</sup> without which he could not have departed San Diego, was not issued until February 20, 1829. Therefore, if Pattie vaccinated in San Diego in January of 1828, the northern epidemic he mentions would have occurred in the autumn of 1827, and had he vaccinated there in January of 1829, the epidemic would have had to occur in the fall of 1828. However, there were no epidemics in any of the northern missions in the autumn of 1827, nor in any of the missions in the autumn of 1828.

Pattie says he vaccinated 22,000 persons,<sup>28</sup> of whom 18,962 were at the missions. But at this time the fourteen missions at which he is supposed to have vaccinated had a total population of only 12,851, which would indicate that he claims to have immunized approximately 6000 more people than were actually present in the missions. He stopped vaccinating at Mission San Antonio de Padua because he states that he was told that smallpox was already present in the five northern missions,<sup>29</sup> but there is positive documentation for epidemic measles at these missions and none for smallpox. Finally, there is no record of the receipt or acknowledgement of his services which Pattie states was given him by Father Cabortes of Mission Dolores on July 8, 1829, nor was there a priest of that name at the mission at this time.<sup>30</sup>

Although Pattie gives the impression that vaccination was relatively unknown in California, in this he is in serious error. Immunization against smallpox by inoculation with smallpox pus and vaccination with cowpox matter had long been practiced in the province. In 1785, King Charles III issued a Royal Cedula<sup>31</sup> which ordered that the book *Disertación Físico-Médica en la cual se Prescribe un Metodo Seguro para Preservar a los Pueblos de Viruelas hasta Lograr la Completa Extinción de Ellas en todo el Reyno* by Dr. Francisco Gil<sup>32</sup> be distributed throughout the new world. Twenty copies of this book which deals with the use of isolation, quarantine, and inoculation in the control of smallpox were sent to California.<sup>33</sup> In 1797, as a result of the outbreak of smallpox in Mexico and Guatemala, the Viceroy of New Spain issued an edict containing thirteen sections of instructions about how to prevent and deal with a smallpox epidemic. Section eight of this edict which was sent to every presidio and mission prescribes the use of inoculation.<sup>34</sup>

In 1798, at the instigation of Governor Diego de Borica, Dr. Pablo Soler, the Monterey physician, prepared a circular *Metodo de Practicar la Ynoculación de las Viruelas . . .* for distribution to the presidios and missions.<sup>35</sup>

In 1804, Father Estevan Tapís, president of the missions, was advised by the Bishop of Sonora of the coming of Dr. Francisco Xavier de Balmis to New Spain to bring the "blessing" of vaccination to all.<sup>36</sup> While no member of this expedition visited Alta California, the fanfare surrounding it doubtless served to sustain interest in immunization against smallpox.

Georg H. Langsdorff, the German trained physician on the Rezanov expedition to California in 1806, mentions in the report of his visit that Governor José Joaquín de Arrillaga had told him that cowpox had been present in the area south of Monterey for a long time and had been used for the successful inoculation of many people.<sup>37</sup>

In 1810, the broadside *Reglamento de Orden de S. M. para que se Propague y Perpetúe la Vacuna en Nueva España*,<sup>38</sup> which was prepared by Dr. Balmis on his second visit to New Spain, was circulated in Alta California.<sup>39</sup>

Vaccination is again mentioned in the records in 1817 when José Verdía<sup>40</sup> brought some vaccine matter to Monterey. In 1821, approximately one hundred children were vaccinated in Monterey when lymph was brought from Lima by the Russians.<sup>41</sup>

In 1823, the Mexican secretary of external and internal affairs, Lucas Ignacio Alamán, wrote to the governor of California encouraging the use of vaccination against smallpox.<sup>42</sup> Then in 1829, William A. Richardson<sup>43</sup> was hired to vaccinate in the missions in Alta California and, according to Hubert H. Bancroft, this is the origin of his nickname "Doc."<sup>44</sup>

Worth mentioning because they support the absence of smallpox in Alta California in 1827-28 are two lesser known contemporary works published by European visitors. One was written by Captain Frederick W. Beechey who sailed up and down the California coast in the English ship *Blossom* from 1826 through 1828. In his *An Account of a Visit to California*, Beechey states that it was obvious that there had been no smallpox in Alta California for many years.<sup>45</sup> The other was authored by Auguste Bernard de Haut-Cilly, captain of the French ship *Le Héros*, who also visited the missions repeatedly during 1827 and 1828 and who mentions in his *Voyage autour du Monde, 1826-1829* that it appeared that the Alta California natives had escaped the ravages of smallpox.<sup>46</sup>

In conclusion, measles, not smallpox, was the cause of the 1827-28 epidemic; Pattie's account of the epidemic and the vaccination episode is just another "tall tale." By proving that measles was the cause of the 1827-28 epidemic, the only one still attributed to smallpox, it is established that no epidemic of the latter disease occurred in Alta California during the Franciscan Mission Period (1769-1834).

NOTES

1. Sherbourne F. Cook, "Smallpox in Spanish and Mexican California (1770-1854)," *Bulletin of the History of Medicine*, 7 (1939), 173.
2. Sherbourne F. Cook, "Population Trends among the California Indians," *Ibero-Americana*, 17 (1940), 23.
3. Henry Harris, *California's Medical Story* (San Francisco, 1932), 30.
4. *Ibid.*, 43.
5. Hubert H. Bancroft, *California Pastoral* (San Francisco, 1888), 620.
6. Zephyrin Engelhardt, *Missions and Missionaries*, 4 (San Francisco, 1915), 321.
7. James O. Pattie, *The Personal Narrative of James O. Pattie of Kentucky* (Cincinnati, 1833).
8. S. F. Cook, "Smallpox," *Bulletin of Medicine*, 178.
9. The mission registers are scattered but are in a good state of preservation except those for Mission San Luis Rey which are missing. They were found in the following locations: Mission San Diego de Alcalá, Chancery of Diocese of San Diego; San Juan Capistrano, Rectory of Mission; San Gabriel Arcángel, Rectory of Mission (since the author was not permitted access to the original records, the microfilms of the books which are in Huntington Library at San Marino were used); San Fernando, Chancery of Archdiocese of Los Angeles; San Buenaventura, Rectory of Mission; Santa Barbara, Mission Archives; Santa Inéz and La Purísima Concepción, Rectory of Mission Santa Inéz; San Luis Obispo, San Antonio de Padua, San Miguel Arcángel, Nuestra Señora de la Soledad, San Carlos Borromeo, Santa Cruz, San Juan Bautista, Chancery of Diocese of Monterey; Santa Clara de Asís, Mission Archives; San José and San Rafael Arcángel, Chancery of Archdiocese of San Francisco; San Francisco de Asís (Delores), Rectory of Basilica; San Francisco Solano, Vallejo Papers, University of California, Bancroft Library.
10. These are found in the Santa Barbara Mission Archives.
11. Fernando Ocaranza, *Historia de la Medecina en Mexico* (Mexico, D. F. 1934), 127.
12. Cook, "Population Trends," *Ibero-Americana*, 2.
13. Harris, *op. cit.*, 63.
14. Engelhardt, *op. cit.*, 321.
15. Much valuable information about the early history of California was lost in the 1906 earthquake and fire.
16. Hubert H. Bancroft, *History of California*, III (San Francisco, 1886), 169.
17. *Ibid.*, 170.
18. Pattie, *op. cit.*, 188.
19. Joseph P. Hill, "New Light on Pattie and the Southwestern Fur Trade," *Southwestern Historical Quarterly*, 26 (1923), 254.
20. Milo Milton Quaife, Introduction, *The Personal Narrative of James O. Pattie of Kentucky* (Chicago, 1930), XVIII.
21. William M. Goetzmann, Introduction, *The Personal Narrative of James O. Pattie of Kentucky* (New York, 1962), IX.



22. *Ibid.*, X.
23. Pattie, *op. cit.*, 202.
24. *Ibid.*, 206.
25. *Ibid.*, 206.
26. *Ibid.*, 211.
27. California Archives, 48:90 University of California, Bancroft Library, Berkeley. Pattie's *Carta de Seguridad* states that he entered the province in March 1828.
28. Pattie, *op. cit.*, 217.
29. *Ibid.*, 216.
30. The only priest at Mission Delores (San Francisco de Asís) at this time was Father Tomás Esténaga.
31. Archivo General de la Nación, Reales Cédulas, Mexico, D. F.
32. Francisco Gil, *Disertación Físico-Médica en la cual se Prescribe un Método Seguro para Preservar a los Pueblos de Viruelas hasta Lograr la Completa Extinción de Ellas en Todo el Reyno*, (Madrid, 1784).
33. Ca. Arch., 3:338-341.
34. *Ibid.*, 8:423-431.
35. Copies of this circular are in the Archives of Missions Santa Barbara and Santa Clara de Asís, and it is quite possible that others exist.
36. Mission Santa Barbara Archives.
37. Georg H. Langsdorff, *Bemerkungen auf einer Reise um die Welt in den Jahren 1803 bis 1807*, 2 (Frankfurt am Mayn, 1812), 181. This statement presents the possibility that vaccinations were being performed in California prior to the publication of Jenner's vaccination treatise in 1798.
38. Mission Santa Clara de Asís Archives.
39. Francisco Fernández del Castillo, *Los Viajes de Don Francisco Xavier de Balmis* (Mexico, D. F. 1960), 192.
40. Bancroft, *Pastoral*, 632.
41. Ca. Arch., 26:68.
42. *Ibid.*, 56:303.
43. Bancroft, *History of California*, 3:168.
44. *Ibid.*, 5:694.
45. Frederick W. Beechey, *An Account of a Visit to California* (London, 1831), 58.
46. Auguste Bernard du Haut-Cilly, *Voyage autour du Monde, 1826-1829*, 2 (Paris, 1834), 166.

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## Russian Travel Notes and Journals as Sources for The History of California, 1800-1850

RUSSIAN SETTLEMENT, trade, and travel in Hispanic California resulted in a sizable and diverse legacy of journals, notes, reports, memoirs, and letters, many of which have been little used and some of which have only recently been uncovered. These valuable source materials for the history of California during its hectic transition from a pastoral and remote Spanish colony to a turbulent and focal American republic are discussed in the following article by Leonid A. Shur, a Soviet specialist on Russian sources for the history of the Americas, particularly Latin America. His article originally appeared in *Amerikansky yezhegodnik* [American Yearbook], (1971), pp. 295-319.

It would be difficult (although not impossible) for American scholars to gain access to the Soviet archives cited by Shur. Foreign scholars on official exchange programs are normally admitted to the major archives in Moscow and Leningrad; however, some cities (like Perm) and certain archives (like the Central State Archive of the Military-Naval Fleet) are closed to foreigners (indeed, Soviet scholars themselves are sometimes barred). The best guide in this matter is the just-published *Archives and Manuscript Repositories in the U.S.S.R.: Moscow and Leningrad* by Patricia Kennedy Grimsted (Princeton University Press, 1972). Microfilm copies (but almost certainly not English translations) might be obtained (more likely by institutions than by individuals) with the assistance of the U.S. State Department and/or Soviet Embassy in Washington, D.C., on an exchange basis (especially with the Bancroft Library), or by ordering from any representative of *Mezhekhniga*, the Soviet book exporting agency. Finally, it is hoped that these documentary materials will eventually be published; for example, Shur himself has already published the notes of Matyushkin, Lutke, and Wrangel concerning California and Mexico (L. A. Shur, *K beregam Novovo Sveta* [To the Shores of the New World], Moscow, 1971), and he is currently preparing Khlebnikov's California diary for publication. There is indeed a wealth of information about early California in Soviet depositories; the Perm

*archive cited by Shur itself contains some 2,000 letters to and from Khlebnikov and correspondents in California (including up to 300 in Spanish).*

CALIFORNIA'S FATE in the first half of the nineteenth century was closely tied to the history of several countries—Spain, Mexico, the United States, and Russia. Until the early 1800's California was one of the frontier provinces of the Spanish colonies in America—a viceroyalty of New Spain. After the war of independence (1810-1824), California became part of the Mexican Republic. But by the middle 1830's Californian separatists (mainly North Americans who had migrated there) were already promoting a plan for an "independent republic" of California and repeatedly fomenting revolts. Following the Mexican-American War of 1846-1848, California was annexed by the U.S.A.

From 1812 to 1841 there were Russian settlements (Bodega and the village and fortress of Ross) in California belonging to the Russian-American Company. Since these Russian settlements existed in California for nearly thirty years, it seems proper to call this region Russian California<sup>1</sup> by analogy with Russian America, a term widely used in Soviet and foreign historiography.

The existence of Russian California and the extensive and varied commercial connections of the Russian-American Company with the Spanish and Mexican authorities throughout the first half of the nineteenth century lend special importance to Russian sources for the history of this area.

N. N. Bolkhovitinov has been the first in Soviet historiography to note that Russian documents—especially diplomatic reports—concerning Florida, Texas, and particularly California "have their own importance, and in some cases they can be considered primary sources."<sup>2</sup> No less valuable as sources for the history of California are the documentary materials of Russian travelers who visited this region in the first half of the 1800's.

If the reports, travel notes, and journals of Western European and North American travelers who visited California in 1800-1850 have long been widely used as sources for the study of the history of this region, similar Russian materials have been relatively little used by researchers. Thus, the American historian H. H. Bancroft in his well-known and fundamental *History of California*<sup>3</sup> used an enormous number of sources—some 4,000 titles.<sup>4</sup> About 1,650 titles, including 1,030 manuscripts, concern this period (up to 1848).<sup>5</sup> Bancroft stressed that the travel notes and journals of seafarers are especially important for the study of the history of California in the early nineteenth century. Of the books of Russian travelers, however, Bancroft used only the works of G. H. Langsdorf, O. Ye. Kotzebue, and L. A. Choris.<sup>6</sup>

Bancroft used Russian materials primarily to write the history of Russian California. So he studied the well-known works of P. Tikhmenev, N. P. Rezanov, A. Markov, D. I. Zavalishin, and K. T. Khlebnikov.<sup>7</sup> But even for



the history of Russian California, Bancroft used mostly published sources. Only a small part of the materials preserved in Russian archives were known to him.<sup>8</sup>

Having thus used Russian sources for the study of the history of Russian California, Bancroft practically ignored them for research on the history of California as a whole. This is characteristic of other American historians studying the history of California.

In our own historiography, documentary materials about Russian California have been cited in several works on the history of the Russian-American Company,<sup>9</sup> in V. Potekhin's article "Ross Settlement," which mirrors documents from the lost archive of the Main Administration of the Russian-American Company in St. Petersburg,<sup>10</sup> in the monographs of the Soviet researchers S. B. Okun<sup>11</sup> and N. N. Bolkhovitinov,<sup>12</sup> in S. G. Fyodorova's dissertation,<sup>13</sup> and in a whole series of other works.

Recently, interest in Russian sources for the history of California and, more broadly, for the history of the countries of the Americas in general has manifestly increased both in Soviet and in foreign historiography.<sup>14</sup>

As early as 1932 Stanford University published a book devoted to the stopover at San Francisco of a Russian expedition on the ship *Rurik*.<sup>15</sup> The book's compiler, August Mahr, included excerpts from the works of O. Ye. Kotzebue, L. A. Choris, I. I. [J. F.] Eschscholtz, and the German naturalist and poet A. Chamisso, who also participated in the expedition. A number of Spanish documents concerning the *Rurik's* stopover at San Francisco (a letter of Luis Arguello to the governor of California, notes about Ross by Gervacio Arguello, and others) were published for the first time in the book's appendix. In a foreword the compiler emphasized that the journals and notes of Russian mariners had considerable interest for the study of the history of San Francisco in the early nineteenth century.

In 1933 the California Historical Society published a collection of articles on *The Russians in California* which extensively utilized Russian sources.<sup>16</sup> The notes of V. P. Tarakanov<sup>17</sup> and Z. Chechenev<sup>18</sup> and excerpts from A. Markov's *Russians on the Pacific Ocean*<sup>19</sup> have been published in the *Early California Travel Series*. These materials include information on Russian California, Russian relations with the "local Spaniards," the missions, the Indians, etc.

The interest of foreign researchers in Russian sources for the history of California is attested by English translations of K. T. Khlebnikov's "Notes on California,"<sup>20</sup> memoirs and an article by A. G. Rotchev, the last manager of Ross,<sup>21</sup> Ye. L. Chernykh's article "Agriculture in Upper California,"<sup>22</sup> and others.

Nevertheless, it must be admitted that Russian sources for the history of California, even published ones, are still little known and relatively little used. Thus, in Soviet work on the history of this region—in general courses

on the history of the U.S.A., in monographs, etc.—Russian materials about California are still not used. As regards unpublished documents, most of them are simply unknown to researchers.

The author of this article attempts to recount the journals, notes, and letters of Russian travelers who visited California in the first half of the nineteenth century, focusing his attention primarily on recently discovered materials. The author also tries to present an original classification of these materials and to suggest basic questions for further study. An analysis or even a simple survey of all materials of this kind is not yet possible.

The fact is that to compile such a survey it would be necessary first of all to fully identify all Russian travelers who visited this region in the first half of the 1800's. This job, however, has still to be done. A second task—no less complex—is the uncovering of the published and unpublished notes, journals, and letters of the Russian travelers in Soviet archives and libraries (as well as in foreign ones). Some of them have been forgotten among the pages of obscure Russian periodicals of the last century or buried in archives among often very unexpected collections and funds. We still do not even know all the printed sources, let alone the manuscript ones, which have been only partially uncovered. It can certainly be assumed that much new material on the history of nineteenth century California will be found in the process of further research on this topic.

Classification of the documentary materials of Russian travelers who visited California in the first half of the 1800's is most sensible on the basis of their origin: (1) "journals," travel notes, and diaries of Russian circumnavigators; (2) notes and diaries of employees of the Russian-American Company; and (3) letters, diaries, materials, etc., of Russian scientists.

An important group of sources is formed by the materials of Russian round-the-world expeditions of the first half of the nineteenth century which called at California; some Russian ships even wintered there. The best known and most studied of these materials are the official reports on the voyages written by the ships' commanders. These contain information on the life and customs of the population of California and its history, contemporary political situation, and culture.

Members of these circumnavigations—naval officers—kept diaries, made travel notes, and wrote letters home. Only some of these materials were subsequently published; heretofore most of them have been forgotten in state and personal archives and in manuscript divisions of libraries and have remained unknown to researchers.

The manuscript journals of F. F. Matyushkin and F. P. Lutke, who made their first circumnavigation in 1817-1819 on the sloop *Kamchatka* under the command of V. M. Golovnin, were uncovered comparatively recently and brought to the attention of researchers. Matyushkin's journal was extensively used for the first time by Yu. V. Davydov in his book,<sup>23</sup> and

Lutke's diary was put into scholarly circulation by B. N. Komissarov.<sup>24</sup>

The journals of Matyushkin and Lutke were not intended for publication, and this is precisely why they are especially interesting. Their unofficial character is revealed above all by the great frankness of the authors in comparison with the published report of V. M. Golovnin, the ship's commander.<sup>25</sup> Matyushkin's and Lutke's journals, which were written in 1817-1819, reflect the pre-Decembrist sentiments of progressive Russian youth of the early nineteenth century. Both journals serve as excellent sources for the study of the history, ethnography, and culture of California in the early 1800's.

The *Kamchatka* reached the port of Monterey—California's chief town at that time—in September, 1818. During an anchorage of nearly three weeks Matyushkin and Lutke not only toured Monterey but also visited the nearby mission of San Carlos. Both young officers left detailed descriptions of Monterey and San Carlos Mission and made notes on the history of this region.

The entries concerning California in Lutke's journal are very extensive; he describes his meetings with the commandant of Monterey's presidio, José María Estudillo, with the governor of Alta California, Pablo Vicente de Sola, and other Spanish officials, with missionaries, etc.

Lutke describes Monterey thusly: "The presidio of Monterey is nothing other than a white stone and plaster square whose sides are about 100 sazhen [700 feet] long. This definition very accurately defines and correctly conceptualizes a presidio. There are neither windows nor chimneys which could have rendered this definition incorrect; in short, this building greatly resembles the squares of Lima's pantheon, with the difference that the dead are kept there and the living here."<sup>26</sup>

Lutke's journal vividly reflects the backwardness of California, the most remote of Mexico's provinces, the inertia and incompetence of the colonial administration, and so forth. He concludes that "lands which could be made a source of wealth and prosperity for millions of people remain useless. . . ."<sup>27</sup>

Lutke formed the following unfavorable impression of the military strength of the Spaniards in California: "Monterey, which is the capital of New California and its chief naval base, has a garrison of no more than 100 men. . . . Sitka is a Gibraltar in comparison with Monterey."<sup>28</sup>

After Monterey the *Kamchatka* stopped in Little Bodega Bay (or, as it was called by the Russians, Rummyantsev Bay). Lutke became acquainted with the manager of the village and fortress of Ross, Ivan Kuskov, and he provides very interesting information on the state of affairs in Russian California at that time.

Matyushkin's "journal" also contains much information on California. It is true that Matyushkin describes Monterey in less detail than Lutke, but his "journal" compensates with very interesting information on the Spanish missions in California, the condition of the Indians, etc. In Matyushkin's entries



relating to Little Bodega there is interesting data on the beginning of ship-building in Russian California, as well as a detailed description of the Indians living there. Matyushkin's notes on relations between the Russian settlements and the Spanish authorities in California, especially his accounts of Kuskov, also merit attention.<sup>29</sup>

The materials of M. N. Vasilyev's round-the-world expedition of 1819-1822 are of much interest for the study of the history of California, since the ships *Discovery* and *Loyal* wintered for more than three months at San Francisco.

Until very recently it was usually stated in the historical geographical literature that Vasilyev, the leader of the expedition and the commander of the *Discovery*, and G. S. Shishmarev, the commander of the *Loyal*, had not left descriptions of their trips. It was thought that the sole surviving sources for the study of this voyage were extracts from the notes of a member of the expedition, Warrant Officer K. Gillesem (Hilsen), published in 1849 in *Notes of the Fatherland*, and the recently discovered manuscript "Notes on the Voyage of the Naval Sloop *Loyal* to Bering Strait and Around the World . . ." by A. P. Lazarev (published in 1950).<sup>30</sup>

In 1959, however, the ethnographer and historian D. D. Tumarkin found Vasilyev's rough notes on his circumnavigation of 1819-1822 in the Central State Archive of the Military-Naval Fleet of the USSR [Leningrad].<sup>31</sup> Tumarkin used that part of this material which concerns the Hawaiian Islands in his monograph.<sup>32</sup>

But these are not all the finds. Quite recently the geographer V. V. Kuznetsova discovered in the same archive the travel journal of the warrant officer of the sloop *Loyal*, N. D. Shishmarev.<sup>33</sup> Finally, in the papers of the historian of the Russian fleet, A. V. Viskovaty, in the Manuscript Division of the M. Ye. Saltykov-Shchedrin State Public Library [Leningrad] I found fragments of the travel journal of the commander of the sloop *Loyal*, G. S. Shishmarev.

The ships *Discovery* and *Loyal* stayed at San Francisco from October 27, 1820, to February 11, 1821. During this time the Russian officers succeeded in thoroughly acquainting themselves with California, visited many missions (where they observed the Indians), and so on. In Vasilyev's surviving rough notes the history of the occupation of California by the Spaniards is briefly recounted, a detailed description of the port and fortifications of San Francisco is given, and the life and customs of the Spanish officers and soldiers of California are described. The Spanish missions in California which were frequently visited by the officers of the Russian ships—San Francisco, San José, San Rafael, Santa Clara, and others—are described in particular detail.

For example, here is how Vasilyev describes San Rafael Mission: "In December we went to San Rafael Mission. It was founded [in] 1817 and is the most recent. There is one priest—Padre Juan Amorós—and 250 Indians alto-

gether there; it is situated on a slope, and a church, a house for the padres, storehouses, and workshops have been built. There is a building where the women and small children live; the other Indians are in huts thatched with rushes—just like they usually live in the hills. North of S[an] Francisco on the other side of the bay would be a better location. . . .”<sup>34</sup>

The journey of the Russian sailors in longboats on San Francisco Bay to Santa Clara Mission is described in detail in Vasilyev’s notes. He left a detailed account of this large and rich mission, where there were about 1,400 Indians. He remarks that “in the workshops . . . from wool the women weave shawls, which all the Indians wear, and they also make shirts and skirts from wool. The women dress hides and mark them with various designs. . . . There is a small joinery and a farriery; all the missions sorely need tools for the workshops; the mill is not unlike a hand mill, but with more stones, which are activated by a mule. In the storehouse there are ample wheat, beans, peas, and maize, some garden vegetables—onions, peppers, garlic, potatoes—and some dressed hides and finished shawls. In the orchard, which is rather large, there are whole boulevards of apples and pears and several beds for garden vegetables.”<sup>35</sup>

Vasilyev also recorded his observations on the state of defenses in the port of San Francisco, in whose fortress stood old cannons of the seventeenth century. They were in such bad conditions that he remarks, “I do not know whether balls can be fired from them.”<sup>36</sup>

The information cited by Vasilyev about the war for independence which was then flaring throughout Spanish America is very interesting. From the utterances of Spanish officers and monks in San Francisco he describes in his journal the capture of Monterey in 1819 by rebels who had come on two ships from Buenos Aires. “The insurgents took the battery, spiked the cannons, and looted and burned the presidio,” Vasilyev notes.<sup>37</sup>

During the Russian expedition’s sojourn at San Francisco it was rumored that Mexican rebels had arrived in California. “In 1819 and at present rumors from the Indians say that some people with families have arrived within four days ride of San José Mission and are heading there,” writes Vasilyev. “They are building fortifications, number up to 1,000, have much clothing, and are armed. Three years ago, it is said, several families of Spanish malcontents came from Mexico, and perhaps it is them again, for it is not known where they went. In May the commandant in the port of [San] Francisco with 40 mounted soldiers wanted to see whether this was true.”<sup>38</sup>

In Vasilyev’s notes there are some data on Russian California, based upon information received from Kuskov. During the stopover at San Francisco of the ships *Discovery* and *Loyal*, Kuskov wrote Vasilyev several times; these letters are preserved in Vasilyev’s archive.

His notes are especially interesting for the study of the way of life of the Indians of California. Perhaps in no other published source for the ethnog-

raphy of this region are there such detailed descriptions of the life of the Indians of California at the Spanish missions.

A great deal of information on California—on San Francisco, the missions, the way of life of the “local Spaniards” and the Indians, etc.—can also be found in the unpublished journal of N. D. Shishmarev, warrant officer of the sloop *Loyal*.<sup>39</sup>

Vasilyev’s and Shishmarev’s manuscripts provide much more information on California than the published materials of this expedition (Gillesen’s and Lazarev’s notes). Thus, Lazarev in his chapter on California gives only a very brief description of San Francisco, does not describe the missions and his meetings with Spanish officers and officials in such detail, does not give his observations of the Indians, and so on.<sup>40</sup>

Such brevity is also typical of the travel journal of the commander of the sloop *Loyal*, G. S. Shishmarev. Its entries concerning California contain many purely naval details (calculations of bearings, meteorological observations, etc.); Shishmarev comments very briefly on California itself and its inhabitants: “Here I found Commandant Don Luis Arguello, an old friend who was commandant when the *Rurik* came here;<sup>41</sup> he was very happy about our arrival. It is not difficult to become acquainted with others, as well as with the missionaries, who are always glad at the arrival of any vessel, for they will accept anything because of their poverty, and we especially noticed that particularly the priests, who are great spongers, not only ask but demand, and they feel that we are obliged to give them presents; they, on the other hand, give, as they say, and then demand money. Having become acquainted with the priests, we often went to San Francisco Mission, and on January 13 [24] almost all the officers, including those on watch, went on two longboats from our [ship] and the *Discovery* to the missions of Santa Clara and San José.”<sup>42</sup>

So the recently discovered manuscripts of Vasilyev and Shishmarev are of special interest as sources for the history of California in the 1820’s.

Of the materials discovered in recent years, a letter of the sailor and Decembrist M. K. Kyukhelbeker [Kukelbaker], written during his round-the-world voyage on the sloop *Apollon* (1821-1824), should also be mentioned.<sup>43</sup> Kyukhelbeker confides his impressions of the voyage, recounts the passage of the sloop from Novo-Arkhangelsk [Sitka] to San Francisco for wintering, describes California, and mentions the Spanish missionaries exploiting the Indians.<sup>44</sup>

Another group of sources comprises the notes and journals of employees of the Russian-American Company, which was closely connected with California. The company traded extensively with California, and company ships sailed annually from Sitka to California’s ports for grain; from 1833 to 1839 the company had an agent in San Francisco. The company’s closest ties with California prevailed in 1812-1841, when the village and fortress of Ross existed there.



Especially interesting as sources for the history of California are the documents from the archives of the managers of Ross (I. A. Kuskov, K. Schmidt, P. Shelikhov, P. S. Kostronitinov, and A. G. Rotchev) and the governors of Russian America (A. A. Baranov, L. A. Hagemeister, S. I. Yanovsky, M. I. Muravyov, P. Ye. Chistyakov, F. P. Wrangel, I. A. Kupreyanov, and A. K. Etolin), as well as K. T. Khlebnikov and many other employees of the Russian-American Company.

Unfortunately, most of the archives of these individuals have not been preserved, and some have not survived intact. Thus, for example, only a small portion of the archive of Kuskov—the founder of the settlement of Ross in California—has survived. This archive is kept in the Manuscript Division of the V. I. Lenin State Public Library of the USSR [Moscow]. It was briefly described in 1952,<sup>45</sup> and within several years it was mentioned in the historical geographical literature;<sup>46</sup> finally, quite recently some of its material was used in Bolkhovitinov's monograph.<sup>47</sup> At the same time, this archive has not been used in many works on the history of Russian America or even in specialized works about Kuskov.<sup>48</sup>

Most of Kuskov's archival material is business correspondence between Baranov and himself. The archive's documents tell of the founding of the fortress and village of Ross, trade relations with the Spaniards in California, etc. Unfortunately, Kuskov's journal or any notes have not been preserved among his papers.

Of all the Russian-American Company employees of the first half of the nineteenth century, K. T. Khlebnikov may have been most closely associated with California and have known this region better than anyone.

Khlebnikov stayed in Russian America from 1817 to 1832 and frequently visited California. Regrettably, not all of his trips have been recorded in the published sources. Thus, in Bancroft's well-known register, dedicated to California's first settlers (and originally published as an appendix to his seven-volume *History of California*), it is stated that Khlebnikov was in California in 1820, 1825-1826, and 1830-1831 only.<sup>49</sup> However, I have succeeded in establishing from Khlebnikov's journal<sup>50</sup> that there were many more such trips.

Khlebnikov first visited California in 1817 en route to Russian America from St. Petersburg on the ship *Kutuzov*. He spent two weeks at Rummyantsev (Bodega) Bay and Ross and a whole month (October 1-30) at San Francisco.<sup>51</sup>

Khlebnikov's next trip to California was in June-October of 1820. Its purpose, like all subsequent ones, was the purchase of grain and other foodstuffs for Russian America. Khlebnikov visited Ross, Bodega, Monterey, Santa Cruz, and Santa Barbara.<sup>52</sup> Thereafter he journeyed to California almost annually. In October-December of 1822 Khlebnikov was at Bodega, Ross, Monterey, and San Francisco.<sup>53</sup> From October, 1823, to January, 1824, he again traveled throughout California (Bodega, Ross, Monterey, Santa Cruz,

San Francisco).<sup>54</sup> In June-November of 1824 he took a long trip throughout California. On May 24, 1824, Khlebnikov left Sitka on the brig *Baikal*, reached Bodega on June 3, and passed several days at Ross; at the end of June the *Baikal* arrived at Monterey, where Khlebnikov lived for several months ("August 11 [22]. Mr. Etolin<sup>55</sup> has gone to Sitka aboard the *Baikal*, I have remained ashore," he wrote in his journal<sup>55</sup>). Then Khlebnikov visited Santa Cruz, Bodega, and Ross (September-November of 1824), and at the end of December, 1824, he returned to Sitka.<sup>57</sup> In October, 1825-January, 1826, he traveled the same route—Bodega, Ross, Monterey, and San Francisco.<sup>58</sup>

In September, 1826-February, 1827, there was a new long trip throughout California (Bodega-Monterey-San Pedro-Catalina Islands-San Diego-Monterey-Santa Cruz-San Francisco).<sup>59</sup> During his stay at Monterey in December, 1826, Khlebnikov went to San Juan Mission, and in January-February of 1827 he went from San Francisco to San José and Santa Clara missions and to a new mission (evidently San Francisco de Solano Mission, founded in 1823).<sup>60</sup> In September, 1827, Khlebnikov again headed for California on the brig *Golovnin* and visited Bodega, Monterey, and Santa Cruz.<sup>61</sup> Within a year he returned to California on the brig *Kyakhtha*.<sup>62</sup> During the brig's anchorage at San Francisco in September, 1828, he went to Santa Clara Mission several times, visited San Pablo Rancho, and was at San José Mission.<sup>63</sup> In October, 1829, Khlebnikov visited Monterey en route to Chile.<sup>64</sup> In the fall of 1830, as usual, he headed for the coast of California. In December, 1830-January, 1831, Khlebnikov visited San José and Santa Clara missions and a new mission (again evidently San Francisco de Solano) several times on trade matters and went to San Pablo Rancho and others.<sup>65</sup> Finally, in December, 1832, he paid his last visit to California while returning to his homeland aboard the sloop *America*. From San Francisco he rode to the surrounding missions (San Francisco, San José, and others) and visited San Antonio Rancho and other places.<sup>66</sup>

So Khlebnikov came to know California very well and became acquainted with almost all well-known Californians—Spanish and Mexican governors, officers, monks from various missions, North American settlers, and the like.

Khlebnikov compiled some "Notes on California," which he sent to St. Petersburg. They were published in the journal *Son of the Fatherland* in 1829.<sup>67</sup>

These "Notes" are divided into several chapters. In the first two chapters the author gives a short outline of the condition of Spanish America after the war for independence. Subsequent chapters are devoted to a description of California. Khlebnikov describes the missions in detail and compiles a special table listing all the missions of Old and New California and showing the year of establishment, the number of Indians, etc.; a description of the fortresses and settlements of California is also given. Then the author describes

in detail the geographical location, terrain, climate, flora, and fauna. Special chapters are devoted to the character of the inhabitants of California and their way of life, as well as to the region's Indians. In the "Notes" Khlebnikov gives a description of the communication links with Mexico, California's military strength, etc.

Khlebnikov's "Notes on California" are an important source for the history and ethnography of California. At the same time, it should be mentioned that his diary or travel journal, which I have already mentioned, is very short, containing only the itineraries of his travels. I have not found travel notes or journals of his trips through California in his papers, which are now kept in the State Archive of Perm Oblast.

However, many documents relating to California are preserved in Khlebnikov's papers in the Perm archive.<sup>68</sup> Most of them are letters from Kuskov, Schmidt, Shelikhov, Kostromitinov, and others. Shelikhov, manager of Ross, wrote Khlebnikov on November 25, 1825 as follows: "I do not know what I am to do with the Spanish Indians; Padre Juan [Amorós] pesters me by continually sending for them; meanwhile, the chief of the Bodega Indians, known to you as Valenila, has asked me not to return his band of Indians to the Spaniards, saying that they belong to the Russians and in no way see themselves as subject to the Spaniards and that although some of them have been christened and have lived for a while with the Spaniards, they were all captured perfidiously at Little Bodega in Russian dwellings."<sup>69</sup>

After his return home Khlebnikov's correspondents continued to write him about the situation in California (letters from V. L. Illyashevich, N. Ya. Rozenberg, P. S. Kostromitinov, and others from 1833 to 1837). Illyashevich wrote Khlebnikov in St. Petersburg thusly: "Our affairs in California and the new colonization which Colonel Padrés is undertaking [the Híjar-Padrés colony] are, I think, well known to you . . . so I shall talk about only those changes that I saw in S[an] Francisco Bay. . . . In early 1834 the Indians were set free and the padres were removed from the missions, assigned a salary (in local products) of a thousand piasters a year, and appointed administrators [comisionados]: at S[an] Francisco Mission—Joaquín Estudillo (Martínez's brother-in-law), at S[an] Rafael Mission—Ignacio Martínez, and at the new mission—[Mariano] Guadalupe [Vallejo]. Fourteen Indians live in the first of these missions, and the others are empty."<sup>70</sup> Later the author describes the desolation and decay of the missions and remarks: "In S[an] Mateo—if you remember, blankets and broadcloth were made here—everything has been abandoned, and nobody obeys Joaquín when the oxen have to be driven . . . he is having difficulty finding a vaquero. Not only can he no longer recruit rowers for the lancha, but the skipper demands payment in advance."<sup>71</sup>

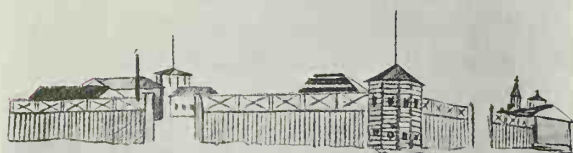
Kostromitinov wrote Khlebnikov on January 6, 1837, from San Francisco about a revolt of the Californian separatists: "A revolution has begun in





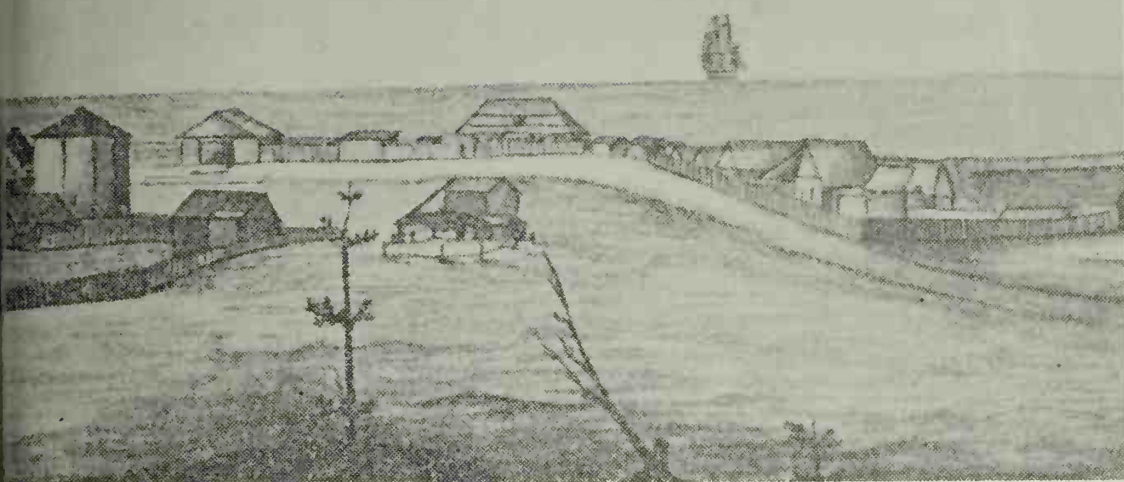
## *Fresh Look at Russian California*

Never before published in California, the scenes in this portfolio were drawn by I. G. Voznesensky, a Russian zoologist and ethnographer who visited Russian California in the early 1840's. The sketches of the village (above) and fortress (below) of Ross near Bodega Bay, outposts maintained by the Russian American Company between 1812 and 1841, are in the Museum of Anthropology and Ethnography of the Academy of Sciences in Leningrad. (See p. 58.)



In his journal the curious ethnologist sketched a San Jago Indian (above) and an Indian woman (left) of New Albion.

RIGHT: With careworn ease, the Spaniard Garcia posed for Voznesensky.





Before the Russians withdrew from California in 1841, I. G. Voznesensky recorded the pensive face of an Indian vaquero (above), a creole of New Albion (right), and a European colonist squatting before his humble home (below).





California. The governor and other Mexicans have been expelled, and it is uncertain how all this will end. I think, however, that the Mexican Government has not ignored the latest ploys of the Californians, especially since foolish heads want to completely separate from Mexico."<sup>72</sup>

In a letter to Khlebnikov on April 28, 1836, from Novo-Arkhangelsk Rozenberg reported the latest news from California (about the death of Governor José Figueroa, etc.) and wrote: "I am very sorry that I could not obtain more complete information, otherwise I would have tried to write in greater detail about local circumstances, knowing that the Californians are as interested in you as you are in California."<sup>73</sup>

Of special interest in Khlebnikov's archive are the numerous letters from residents of California—merchants, officers, missionaries, etc. These letters in Spanish and in English were sent to Khlebnikov from Monterey, San Francisco, Santa Clara, and other places in California. Among them are several letters from the monk Felipe Arroyo de la Cuesta, the author of many works on the languages of the Indians.<sup>74</sup> Most of the letters concern trade matters. The Russian-American Company's trade relations with California are also the main theme of letters of G. Terentyev and N. Molvistov, company foremen, from San Diego, San Gabriel, and other missions.

All these materials are excellent sources for the study of the commercial-economic relations of the Russian-American Company with California in the 1820's and 1830's, as well as for the economic history of the region.

Many of Khlebnikov's manuscript materials concerning California are found in other archives in our country. It is possible that some Khlebnikov letters are preserved in California's archives, especially in the Bancroft Library. Searches for Khlebnikov documents could lead to very interesting finds.

Along with Khlebnikov, F. P. Wrangel, the famous scientist-geographer and traveler and governor of Russian America from 1830 to 1835, was closely associated with California and knew this region well. In his papers, which are found in the Central State Historical Archive of the Estonian SSR in Tartu, there are many documents about California.

Wrangel's archive has been only slightly exploited by researchers. A. I. Andreyev reviewed it briefly,<sup>75</sup> and part of the archive's material was first used by Yu. V. Davydov.<sup>76</sup> Perhaps of most interest in Wrangel's archive is his journal—which I found—of his trip in 1835-1836 from Sitka to St. Petersburg via Mexico.<sup>77</sup>

Wrangel's journey to Mexico was connected with an unofficial diplomatic mission of the Russian-American Company and its backer, the tsarist government. In the 1820's and 1830's the Russian-American Company was faced with the problem of strengthening the position of its settlement of Ross in California. In order for Ross to become a base for supplying Russian America with grain, the territory of this colony had to be expanded at the expense

of fertile land in the valley of the Slavyanka [Russian] River. Wrangel, who was well acquainted with the position of the Russian-American Company's colonies in America, understood the importance and urgency of resolving this question. He therefore suggested that he enter into negotiations with the Mexican Government with a view to Mexico ceding the valley of the Slavyanka River to the Russian-American Company in exchange for Russia granting official diplomatic recognition to the Mexican Republic.<sup>78</sup>

This is why many passages in Wrangel's journal, which he kept during his trip, were devoted to California. In his journal Wrangel describes in detail his talks with the Mexican government about Russian California and reproduces his letters and memoranda to the republic's government, as well as the reply of Mexico's Ministry of Foreign Affairs, etc.<sup>79</sup>

Quite a few passages in the journal describe California, since en route from Sitka to San Blas—a Mexican port on the Pacific Ocean—Wrangel stopped at Monterey in December, 1835.

Wrangel visited San Carlos Mission and left a picture of its position in 1835. He had first visited Monterey in 1818 during his round-the-world voyage on the sloop *Kamchatka*, so he could compare the situation of the missions in 1835 with their previous condition. He writes: "Remembering this establishment from 1818, when the missions flourished under the administration of the Spanish padres, I was dumbfounded by the sight of destruction, poverty, and unconcern which struck us at every step and on all sides; here, where a large building had stood to house the Indians and their workshops, there were now to be seen only ruins—outer walls several feet high and piles of stones; the fine fruit orchard was neglected, open to cattle, and deprived of its high stone fence, which had protected it from the cool sea breezes; the good and venerable padre from Castille who had received guests cordially and engaged them in interesting conversation had now been replaced by a Mexican who exhibited apathy towards everything around him and displeasure with the world and himself."<sup>80</sup>

Reflected in Wrangel's journal are the policies of the Mexican authorities in relation to California, the further penetration of this region by American settlers, and so forth. For example, it is noted in the journal that "Monterey changed after 1818 but in the opposite way that the missions did. The opening of California's ports to all nations for trade and the permitting of foreigners to settle here attracted many business men and adventurers, mostly Englishmen and citizens of the Northern United States, who with customary ingenuity have built high quality and fairly sizable houses, established shops, and rejuvenated Monterey. The buildings are scattered over a wide area without order or symmetry, and the town—still without *streets*—can boast of a large number of *squares*. . . ."<sup>81</sup>

Wrangel remarks that "every foreigner who declares himself a Catholic and wants to become a citizen of California is accepted as such without the slightest difficulty; as a citizen he is allotted land in proportion to his means

for buying cattle and hiring workers to cultivate land, and he must present evidence to this effect."<sup>52</sup>

The journal's author stressed that California was essentially still unexplored and that the Mexican government did not pay due attention to the development of this remote region of the republic. Wrangel expounded a plan for the economic development of California that had been advanced in 1833 by the vice-president of Mexico, Gómez Farías, who tried to implement a broad program of liberal-democratic reforms in his country. In particular he proposed the construction of a shipyard and an admiralty at San Francisco, the reorganization of the missions, etc. However, these plans did not materialize because General Santa Ana removed Farías from power.

Among Wrangel's papers concerning California, mention should be made of the recently discovered manuscript "Indians of Upper California," which is a chapter from his book *Information on the Russian Possessions in America*.<sup>53</sup> The author's deep respect for the Indians and their culture is a feature of this ethnographic sketch.

In addition, of considerable interest are Wrangel's letters to Lutke from Sitka (1830-1835) which contain many passages on events in California at this time.

Journals and notes on trips to California written by employees of the Russian-American Company are preserved not only in Soviet archives. Thus, the Alaska Archives (Juneau) house the "Travel Journal of the Priest Ioann Veniaminov Kept During His Trip to California and Back from June 1 [12] to October 13 [24], 1836." There is a copy in the Bancroft Library. Thanks to the kindness of the American historian R. Bartley<sup>54</sup> and the directors of the Bancroft Library, I was able to familiarize myself with this journal.

I. Ye. Veniaminov (Innokenty, 1797-1879)—missionary, Bishop of Kamchatka, and then Metropolitan of Moscow—spent many years in Russian America and learned the languages of the natives. His works—"The Population of the Russian Possessions and Its Distribution," "Remarks About the Kolosh [Tlingit] and Kodiak Languages and Partly About Other Russian Americans," "Myths and Superstitions of the Kolosh"—are rightly considered classics, and modern scientists-ethnographers are constantly using them in their research.

Veniaminov's "Travel Journal" is still little known even to American researchers, although in 1951 the Canadian professor R. Pierce translated it into English (the manuscript translation is preserved in the Bancroft Library). Veniaminov's "Travel Journal" has been used only in Professor E. O. Essig's work on Russian California.<sup>55</sup>

In his "Journal" Veniaminov describes his trip to Ross and from there to the port of San Francisco via San Rafael Mission on the bay. From San Francisco he went to San José and Santa Clara Missions, which he also describes.

Veniaminov was struck most of all by California's physical environment.



In his journal he writes: "It must be confessed that the happy combination of California's air, the clear, blue sky, the location, and the vegetation peculiar to this latitude can at first strike and charm anyone who was born [north of] and had not been south of 52 degrees, especially the inhabitants of Unalaska and Sitka."<sup>86</sup>

There is an interesting description of San José Mission in 1836, when most of California's missions had already been abolished. Veniaminov remarks that "only this mission and the one nearest to it [Santa Clara Mission] enjoy the former [pre-secularization] rights—to own and to use Indians as slaves; but the Mexican Government has taken the Indians from the others and given them the freedom of citizenship or, more correctly, the freedom to be idle. But this mission is very well organized, and the Indians are very content with the present padre, who feeds and clothes them rather well. Here there is a primary school, in which up to 40 creole and Indian children are taught."<sup>87</sup>

Veniaminov spent most of his time at Ross. He provides information on the number of Ross' settlers, their occupations, etc. In particular he notes that "Fort Ross is not large, but it is a quite well built settlement or village consisting of 24 houses and several huts for the Aleuts and surrounded on all sides by plowland and forest; in the middle there is a small, square, wooden stockade with 2 blockhouses and several cannons and containing a chapel, the manager's house, the business office, a storehouse, barracks, and several dwellings for pious residents [Lenten fasters?]. Here there are 154 males and 106 females, a total of 260 souls, including 120 Russians, 51 creoles, 50 Kodiak Aleuts, and 39 converted Indians."<sup>88</sup>

In the Bancroft Library there are several manuscripts connected with Russian travel to California. These are the journals of Zakhar Chechenev (1818-1828), which I have already mentioned, the notes of Vasily Sokolov on A. Markov's trip from Okhotsk to California and Mazatlan,<sup>89</sup> and others.

The works of Russian scientists who visited California in the nineteenth century constitute a special group among the materials of Russian travelers.

The heyday of geographical and ethnographical study of Russian America dates from the 1830's and 1840's.<sup>90</sup> Since the Russian-American Company owned Ross in California until 1841, Russian scientific expeditions working in Russian America naturally visited California. The zoologist and ethnographer I. G. Voznesensky, who passed ten years in Russian America and Kamchatka (1839-1849), rendered much service in the collection of ethnographical and historical materials on California. However, until recently the journey of this Russian scientist throughout California was little known. Suffice to say that Bancroft did not know about Voznesensky's stay in California; Voznesensky is not mentioned in his register of California's pioneers. Voznesensky's name did not appear in American works until the end of the nineteenth century.<sup>91</sup> Subsequent American works have merely mentioned

his name and have not given any information on his work in California.<sup>92</sup>

The ethnographer K. K. Gilzen (1864-1918) was the first to turn to the study of Voznesensky's ethnographical collections and manuscripts. He searched academic archives for materials on Voznesensky's journey, scoured the personal archives of travelers, and so forth. On the basis of these documents Gilzen prepared the book *Description of the Travels of I. G. Voznesensky in N-W America* . . . , which, unfortunately, was not published and is now preserved in Gilzen's archive.<sup>93</sup> Gilzen's archive contains materials collected by him for a biography of Voznesensky, as well as the text of a report on Voznesensky read by him at a session of the Russian Entomological Society on November 7, 1916.<sup>94</sup> Of the works about Voznesensky prepared by Gilzen, only a biographical sketch of the traveler was published (1916).<sup>95</sup>

A brief description of Voznesensky's papers appeared in the *Survey of Archival Materials* of the Archive of the Academy of Sciences of the USSR<sup>96</sup> and later in V. F. Gnucheva's work.<sup>97</sup>

All recent works about Voznesensky and his archive have been guided by Gilzen's investigations; in particular they have extensively used his unpublished book on Voznesensky's journey, as well as separate pages of the journal deciphered by him, for the journal's crude writing is very difficult to read.<sup>98</sup> Among these works I should mention Ye. E. Blomkvist's well-executed publication of Voznesensky's drawings, as well as R. G. Lyapunova's article.<sup>99</sup>

In 1967 the Institute of Ethnography of the Academy of Sciences issued a special collection of articles dedicated to the memory of Voznesensky.<sup>100</sup> The works of Lyapunova, D. A. Sergeyev, E. V. Zibert, and other researchers describe the ethnographical collections gathered by Voznesensky in Russian America. The collections were obtained from the region's native inhabitants at a time when their distinctive culture had not yet been destroyed. Voznesensky's unique collections are priceless ethnographical sources.

Voznesensky's manuscript materials (journals, notes, letters), however, are less known than his collections and have not been used at all as a source for the history of California. Meanwhile, in his manuscripts there is much interesting information on the history of California in the late 1830's and early 1840's.

Voznesensky spent more than a year—from July, 1840, to September, 1841—in northern California.<sup>101</sup> He arrived at Bodega Bay from Sitka on the ship *Elena* and then went to Ross, where with Rotchev's assistance he collected zoological and ethnographical items. During his stay at Ross from August to October of 1840 Voznesensky made several excursions, such as northward to Cape Mendocino, where he spent several days in the mountains "among thick forests of gigantic pines—redwoods and majestic cedars." On October 20, 1840, Voznesensky rode to San Francisco, where he stayed

until February, 1841. "In these four months," Voznesensky remarks in his "Report," "I visited many environs on the shores of the great bay: on its southern side—Santa Clara and a pueblo, on its eastern side—San Leandro, San Antonio, San Paulo, and Pinoli, on its northern side—Napa, Petaluma, Sonoma (the residence of the military governor-general of Upper California), and on its western side—San Francisco Mission, Cape Diago, and others."<sup>102</sup> In February-March of 1841 Voznesensky visited "New Helvetia," the estate of Captain John Sutter on the Sacramento River. Here he also obtained valuable ethnographical collections. In early April Voznesensky returned to Ross, in May-June he investigated the Slavyanka River and the plain around Ross, and in September of 1841 he left California together with all the residents of Ross. So Voznesensky was a witness to the last days of Russian California, which, as is known, was sold to John Sutter.

During his Californian trip Voznesensky kept a journal, most of which has survived. He wrote the journal in small, machine-made notebooks in ink and pencil. The writing is small, very hurried and illegible. The text often alternates with lists of zoological and ethnographical collections (sent by him to St. Petersburg by parcel) and the like. In some notebooks there are drawings which illustrate the text. Voznesensky wrote academician F. F. Brandt about his journals on November 21, 1846 (already at the end of his journey): "I kept a continuous and reliable journal or diary of my trip from the day of my departure from St. Petersburg; piles of these booklets (in octavo sheets, bought for this [purpose] in Copenhagen on the advice of Professor Postels) and odd pages were written as time and place permitted, sometimes in ink and sometimes in pencil; [so] that putting the materials and correspondence in order upon my return will take much work and time."<sup>103</sup>

Voznesensky intended to polish his journal entries and to compile a detailed journal from them of his trip. In one of his reports to academician Brandt in 1848 he wrote: "The long round-the-world voyage will give me time to put in systematic order the journal of my trip and the separate notes, which I shall probably present to your excellency upon my arrival in St. Petersburg."<sup>104</sup>

Unfortunately, the traveler did not manage to realize his good intention, the journals remained unpolished, and Voznesensky did not compile a composite "journal" of his entire trip.

Voznesensky's Californian journals were first read by Gilzen. He partially deciphered them and from them made a number of excerpts for his ethnographical observations.<sup>105</sup> In his unpublished work on Voznesensky Gilzen noted: "In his numerous booklets-journals we find very interesting descriptions of the sea voyage to California and the individual excursions to the interior of the country accomplished by Voznesensky. Besides detailed descriptions, they contain brief ethnographical remarks on the Californ[ian] Indians which I shall cite below."<sup>106</sup>



However, most of Voznesensky's notebooks concerning California have not yet been deciphered or used by researchers. As a result of familiarization with Voznesensky's papers, I have established that in California he had a relatively wide circle of acquaintances. In San Francisco he lived at Yerba Buena with a French emigré, apparently Victor Prudhon, who had arrived in California in 1834; in 1838-1840 he had a shop and a tavern in San Francisco.<sup>107</sup> Voznesensky met the captain of the port of San Francisco, A. Richardson, the hotel owner J. J. Vioget, John Sutter, missionaries, and others.

Voznesensky's journal contains very interesting information about California's physical environment and the way of life of the population (not only the Indians) and includes descriptions of some ranchos and their Californian owners, as well as of settlers from other countries.

Here, for example, is how the author's trip in November, 1840, from San Francisco to San Antonio Rancho is described in the journal: "Today I again got ready for the road—to sail in the evening at high tide to San Antonio (almost abeam—no!—more correctly, southwest of Yerba Buena). . . . The anchor was raised, and we quietly left the shore. . . . The night was lovely, the full moon rose high in the dark blue sky, and the limpid clouds moved swiftly and covered the bright face of our companion, who reached through her veil and bathed us with her lustre. Both shores loomed black at almost equal distances away, and the lights in the casas of Yerba Buena were small, like meteors; the ships standing at anchor in the bay already looked like small boats rather than huge giants; the moonlight struck their limp sails . . . which whitened and glowed. . . ." <sup>108</sup>

During this trip Voznesensky visited San Antonio Rancho. Here is what he wrote in his journal: "I went to the rancho owned by San Antonio, 3 verstas [2 miles] from the spot where our longboat had landed. This estate's buildings are much better than those of San Pablo Rancho and its location is more picturesque, with two shady creeks—which flow from the opposite hills and enter a cove of the bay—lending great beauty to the surroundings; several casas dot an uneven site, and in the center is the proprietor's house, which in comparison with the others is quite good, being in excellent domestic order both outside and inside. . . ." <sup>109</sup>

In another journal booklet Voznesensky made entries about the history of San Francisco's development. In particular he wrote that "The house of Captain Vioget (as he called himself) cost 10,000 piasters (50,000 rubles). In this house he established a *hotel* with apartments and a billiard room; this is the first such hotel since the founding of Yerba Buena or the port of San Francisco." <sup>110</sup>

In Voznesensky's journal there are entries concerning John Sutter, A. Richardson, and other figures; there is a sketch of the Sacramento River, drawings of Mount Diablo in "New Helvetia," etc. The journal also contains material on the Russian-American Company's close ties with Califor-

nia at that time. Thus, in November of 1840 during his sojourn at San Francisco Voznesensky recorded: "The governor of the Sitka office, Peter Stepanovich Kostromitinov, who arrived here on the sh[ip] *Nicholas* on company business, etcet[era], gave a *fandango* expressly for the officers this evening in the home of the captain of the port of San Francisco, Richardson."<sup>111</sup>

Voznesensky's drawings, which are now kept in the Museum of Anthropology and Ethnography of the Academy of Sciences in Leningrad, are also an important source for the history of California in the late 1830's and early 1840's. Gilzen, who was the first to compile a list of them and to point out their significance, observed that "... Voznesensky, wielding a pencil well, sketched the types of inhabitants of California and left us a whole series of interesting drawings."<sup>112</sup> Gilzen then listed the drawings: "General View of the Settlement of Ross," "New Albion Creole," "San Jago. New Albion Indian," "The Spaniard Don Garcia (in his national costume)," "View of Chernykh Rancho in Northern California," and others. All these drawings, which were published in 1951 by Blomkvist, have still not been used by specialists on the history of California.<sup>113</sup>

Initial study of the journals, travel notes, and letters of Russian travelers who visited California in the first half of the nineteenth century indicates that they are new and original sources for the history of this region. Searches for these materials should be continued in the archives and libraries of both the USSR and the USA. At the same time, it is necessary to immediately publish the materials that have already been found and to put them into scholarly circulation. Such work will then permit resolution of the question of the place of Russian documents among sources for the history of California in the first half of the 1800's.

#### NOTES

1. See A. V. Yefimov, *SShA. Puti razvitiya kapitalizma (doimperialisticheskaya epokha)* [*The U.S.A. Paths of Capitalist Development (Pre-imperialist Period)*] (Moscow, 1969), 679.

2. N. N. Bolkhovitinov, "Voina Latinskoy Ameriki za nezavisimost i pozitsiya Rossii" ["Latin America's War for Independence and Russia's Position"], *Voprosy istorii*, XXXIX (1965), 155.

3. H. H. Bancroft, *History of California (1542-1890)* (San Francisco, 1884-1890), I-VIII.

4. *Ibid.*, I, 34.

5. *Ibid.*, 36.

6. *Ibid.*, 38.

7. *Ibid.*, 42-43 and 52-53.

8. In 1874-1875 Bancroft's assistant Alphonse Pinart worked in the archives of St. Petersburg and Moscow and copied a whole series of documents. However, Bancroft

used only a few of these in his *History of California*. The materials collected by Pinart were largely unpublished and are now preserved in the Bancroft Library.

9. See, for example, P. Tikhmenev, *Istoricheskoye obozrenie obrazovaniya Rossiisko-Amerikanskoy kompanii i deistviy yeyo do nastoyashchevo vremeni* [Historical Survey of the Formation and Operations of the Russian-American Company] (St. Petersburg, 1861-1863), I-II.

10. V. Potekhin, "Selenie Ross" ["Ross Settlement"], *Zhurnal manufaktur i trgovli*, VIII (1859), 1-42.

11. S. B. Okun, *Rossiisko-Amerikanskaya kompaniya* [The Russian-American Company] (Moscow and Leningrad, 1939) [translated by Carl Ginsburg and published by Harvard University Press for the American Council of Learned Societies in 1951].

12. N. N. Bolkhovitinov, *Stanovlenie russko-amerikanskikh otnosheniy* [The Formation of Russian-American Relations] (Moscow, 1966).

13. S. G. Fyodorova, *Russkoye naselenie Alyaski i Kalifornii (konets XVIII veka-1867 g.)* [The Russian Population of Alaska and California (late 1700's-1867)] (Moscow, 1971).

14. See L. A. Shur, "Materialy russkikh puteshestvennikov XVIII-XIX vv. kak istochnik po geografii, istorii i etnografii stran Latinskoy Ameriki" ["The Materials of Russian Travelers of the 18th-19th Centuries as a Source for the Geography, History, and Ethnography of the Countries of Latin America"], *Izvestiya Vsesoyuznogo geograficheskogo obshchestva*, C (1968), 230-236 and R. H. Bartley and S. L. Wagner, *A Working Guide to the History of Latin America in European and American Depositories* (Stanford, 1966).

15. August C. Mahr, *The Visit of the "Rurik" to San Francisco in 1816* (Stanford, 1932).

16. *The Russians in California* (San Francisco, 1933).

17. Vassili P. Tarakanoff, *Statement of My Captivity Among the Californians* (Los Angeles, 1953).

18. Zakahar Tchitchinoff, *Adventures in California of Zakahar Tchitchinoff* (Los Angeles, 1956). The manuscript of Chechenev's notes is preserved in the Bancroft Library (see D. Morgan and G. Hammond, *A Guide to the Manuscript Collections of the Bancroft Library* (Berkeley and Los Angeles, 1963), 170-171).

19. Alexander Markoff, *The Russians on the Pacific Ocean* (Los Angeles, 1955).

20. K. T. Khlebnikov, "Memoirs of California," trans. Anatole G. Mazour, *Pacific Historical Review*, IX (1940), 307-336.

21. A. Rotchev, "Letters of A. Rotchev, Last Commandant at Fort Ross," trans. Frederick Cordes, *California Historical Society Quarterly*, XXXIX (1960), 96-115; A. Rotchev, "New Eldorado in California," trans. Alexander Doll and Richard Pierce, *Pacific Historian*, XIV (1970), 33-40.

22. E. L. Chernykh, "Agriculture of Upper California," *Pacific Historian*, XI (1967), 10-28 [also see James R. Gibson, "Two New Chernykh Letters," *Pacific Historian*, XII (1968), 48-56 and 55-60].

23. Yu. Davydov, *V moryakh i stranstviyakh* [In Oceans and Travels] (Moscow, 1956).

24. B. N. Komissarov, "Dnevnik puteshestviya F. P. Litke na shlyupe "Kamchatka" v 1817-1819 gg." ["The Journal of F. P. Lutke's Voyage on the Sloop "Kamchatka"



in 1817-1819"], *Izvestiya Vsesoyuznogo geograficheskogo obshchestva*, XCVI (1964), 414-419.

25. V. M. Golovnin, *Puteshestvie vokrug sveta na voyennom sblyupe "Kamchatka" v 1817, 1818 i 1819 godakh* [Voyage Around the World on the Naval Sloop "Kamchatka" in 1817, 1818, and 1819] (Moscow, 1965).

26. Tsentralny gosudarstvennyy arkhiv voyenno-morskogo flota [Central State Archive of the Military-Naval Fleet—hereafter TsGAVMF], f. 15, op. 1, d. 8, l. 202 rev.

27. *Ibid.*, l., 203 rev.

28. *Ibid.*, ll., 203 rev.-204.

29. Rukopisnyy otdel Instituta russkoy literatury AN SSSR (Pushkinsky dom) [Manuscript Division of the Institute of Russian Literature of the Academy of Sciences of the USSR (Pushkin House)], f. 93, op. 2, d. 161, ll. 105-105 rev. and 107-110 rev.

30. See A. I. Solovyov's foreword in A. P. Lazarev, *Zapiski o plavanii voyennogo sblyupa "Blagonamerennogo" v Beringov proliv i vokrug sveta . . .* [Notes of the Voyage of the Naval Sloop "Loyal" to Bering Strait and Around the World . . .] (Moscow, 1950), 5-6.

31. D. D. Tumarkin, "Novie arkhivnye materialy o gavaitsakh" ["New Archival Materials about the Hawaiians"], *Sovetskaya etnografiya*, XXXIV (1960), 158-160.

32. D. D. Tumarkin, *Vtorzhenie kolonizatorov v "kray vechnoy vesny"* [The Invasion of the "Land of Eternal Spring" by Colonizers] (Moscow, 1964).

33. See V. V. Kuznetsova, "Novie dokumenty o russkoy ekspeditsii k Severnomu polyusu" ["New Documents about a Russian Expedition to the North Pole"], *Izvestiya Vsesoyuznogo geograficheskogo obshchestva*, C (1968), 237-245.

34. TsGAVMF, f. 213, op. 1, d. 107, ll. 4 rev.-5.

35. *Ibid.*, l. 6 rev.

36. *Ibid.*, d. 105, l. 3.

37. *Ibid.*, d. 107, l. 17 rev.

38. *Ibid.*, ll. 18-18 rev.

39. *Ibid.*, f. 203, op. 1, d. 730b, ll. 80-97.

40. Lazarev, *Zapiski*, 242-247.

41. G. S. Shishmarev participated in the round-the-world voyage of the "Rurik" under the command of O. Ye. Kotzebue (1815-1818) and in 1816 visited San Francisco.

42. Otdel rukopisey Gosudarstvennoy publichnoy biblioteki im. M. Ye. Saltykova-Shchedrina [Manuscript Division of the M. Ye. Saltykov-Shchedrin State Public Library], Viskovatyy papers, F.XVII, 106<sup>T1</sup>, l. 257.

43. See Shur, "Materialy," 233.

44. Otdel rukopisey Gosudarstvennoy biblioteki SSSR im. V. I. Lenina [Manuscript Division of the V. I. Lenin State Library], f. 449, c. 2, d. 18.

45. Ye. I. Golubtsova and Ye. N. Oshanina, "Kollektsiya Moskovskogo obshchestva istorii i drevnostey Rossiiskikh (OIDR)" ["The Collection of the Moscow Society of Russian History and Antiquities (OIDR)"], *Zapiski Otdela rukopisey Gosudarstvennoy biblioteki im. V. I. Lenina*, (1952), 25-29.

46. See M. B. Chernenko, "Lavrenty Alekseyevich Zagoskin" in *Puteshestviya i issledovaniya leitenanta Lavrentiya Zagoskina v Russkoy Amerike v 1842-1844 gg.*

[*Travels and Explorations of Lieutenant Lavrenty Zagoskin in Russian America in 1842-1844*] (Moscow, 1956) [English version edited by Henry Michael and published for the Arctic Institute of North America by the University of Toronto Press in 1967], 8.

47. Bolkhovitinov, *Stanovlenie*.

48. See S. N. Markov, *Letopis Alyaski* [*Chronicle of Alaska*] (Moscow, 1948); N. A. Chernitsyn, "Issledovatel Alyaski i Severnoy Kalifornii Ivan Kuskov" ["Ivan Kuskov, Explorer of Alaska and Northern California"], *Letopis Severa*, III (1962), 108-121.

49. H. H. Bancroft, *California Pioneer Register and Index, 1542-1848* (Baltimore, 1964), 208.

50. Khlebnikov's journal, which was found by P. G. Lyapunova, is preserved in F. P. Wrangel's archive in the Central State Historical Archive of the Estonian SSR (TsGIA ESSR) in Tartu.

51. TsGIA ESSR (Tartu), f. 2,057, op. 1, d. 381, l. 13.

52. *Ibid.*, l. 13 rev.

53. *Ibid.*, l. 14.

54. *Ibid.*

55. Adolph K. Etolin was commander of the sloop *Baikal*, and from 1840 to 1845 he was governor of Russian America.

56. TsGIA ESSR (Tartu), f. 2,057, op. 1, d. 381, l. 14 rev.

57. *Ibid.*

58. *Ibid.*, l. 15.

59. *Ibid.*, ll. 15-15 rev.

60. *Ibid.*

61. *Ibid.*, l. 15 rev.

62. *Ibid.*, l. 16.

63. *Ibid.*

64. *Ibid.*, l. 16-16 rev.

65. *Ibid.*, l. 16 rev.

66. *Ibid.*, l. 21.

67. "Zapiski o Kalifornii, sostavleniye K. Khlebnikovym" ["Notes on California Compiled by K. Khlebnikov"], *Syn otechestva*, II-III (1829) [also see James R. Gibson, "Russian America in 1833: The Survey of Kirill Khlebnikov," *Pacific Northwest Quarterly*, LXIII (1972), 1-13].

68. Khlebnikov's archive was first briefly described and utilized by B. N. Vishnevsky (see B. N. Vishnevsky, "Materialy arkhiva K. T. Khlebnikova, predstavlyayushchie interes dlya istorii geografii" ["Materials in K. T. Khlebnikov's Archive of Interest for the History of Geography"], *Izvestiya Akademii nauk SSSR: seriya geograficheskaya*, III (1953), 87-88; *idem.*, *Puteshestvennik Kirill Khlebnikov* [The Traveler Kirill Khlebnikov] (Perm, 1957); *idem.*, "Puteshestvennik Kirill Khlebnikov i yego nauchnoye nasledie" ["The Traveler Kirill Khlebnikov and His Scientific Legacy"] in *Na Zapadnom Urale* (Perm, 1956), 192-194.

69. Gosudarstvennyy arkhiv Permskoy oblasti [State Archive of Perm Oblast], f. 445, op. 1, d. 33, ll. 137-137 rev.

70. *Ibid.*, d. 21, l. 46.

71. *Ibid.*, ll. 46-46 rev.
72. *Ibid.*, d. 23, l. 7.
73. *Ibid.*, d. 22, l. 50 rev.
74. *Ibid.*, d. 8, ll. 9-14 and 27.
75. A. I. Andreyev, "Arkhir Vrangelya" ["Wrangel's Archive"], *Izvestiya Vsesoyuznogo geograficheskogo obshchestva*, LXXV (1943), 36-37.
76. Yu. Davydov, *Ferdinand Wrangel* [Ferdinand Wrangel] (Moscow, 1959).
77. See L. A. Shur, "Meksika 30-kh godov XIX v. v neopublikovannom dnevnike F. P. Vrangelya" ["Mexico in the 1830's in F. P. Wrangel's Unpublished Journal"], *Novaya i noveishaya istoriya*, XII (1969), 152-165.
78. For more details, see Okun, *Rossiisko-Amerikanskaya kompaniya*, 137-140.
79. I have published these excerpts from Wrangel's journal in *Novaya i noveishaya istoriya*, XII (1969), 159-163.
80. TsGIA ESSR (Tartu), f. 2,057, op. 1, d. 353, l. 3.
81. *Ibid.*, l. 3 rev.
82. *Ibid.*, ll. 4-4 rev.
83. See L. A. Shur, "Istochniki po geografii, istorii i etnografii stran Latinskoy Ameriki XVII-XIX vekov v arkhivakh i bibliotekakh Pribaltiki" ["Sources for the Geography, History, and Ethnography of the Countries of Latin America of the 17th-19th Centuries in the Archives and Libraries of the Prebaltic"] in *Nauchnye svyazi Pribaltiki v XVIII-XX vekakh* (Riga, 1968), 155-156 [also see James R. Gibson, "Russia in California, 1833: Report of Governor Wrangel," *Pacific Northwest Quarterly*, LX (1969), 205-215].
84. I use this opportunity to thank Mr. R. Bartley for sending me a microfilm of this manuscript [translated and edited by James R. Gibson, "A Russian Orthodox Priest in a Mexican Catholic Parish," *Pacific Historian*, XV (1971), 57-66].
85. E. O. Essig, "The Russian Settlement at Ross" in *The Russians in California*, 8-9.
86. Innokentii, "Putevoi Zhurnal" ["Travel Journal"], MS, Bancroft Library, P-K 220.
87. *Ibid.*
88. *Ibid.*
89. Morgan and Hammond, *Guide*, 170-171 and 181.
90. See M. V. Stepanova, "Iz istorii etnograficheskogo izucheniya byvshikh russkikh vladeny v Amerike" ["From the History of the Ethnographical Study of the Former Russian Possessions in America"], *Sovetskaya etnografiya*, XXI (1947), 141.
91. R. A. Thompson, *The Russian Settlement in California Known as Fort Ross* (Santa Rosa, 1896), 34.
92. See, for example, *The Russians in California*, 9-10 and 21.
93. Leningradskoye otdelenie Arkhiva Akademii nauk SSSR [Leningrad Branch of the Archive of the Academy of Sciences of the USSR—hereafter LO AAN], f. 46, op. 1, d. 2 (rough copy) and d. 3 (finished copy, typewritten).
94. *Ibid.*, d. 3.
95. K. K. Gilzen, "Ilya Gavrilovich Voznesensky," *Sbornik Muzeia antropologii i etnografii*, III (1916).
96. *Trudy Arkhiva Akademii nauk SSSR*, I (1933), 95.



97. V. F. Gnucheva, *Materialy dlya istorii ekspeditsy Akademii nauk v XVIII i XIX vekakh* [Materials for the History of the Expeditions of the Academy of Sciences in the 18th and 19th Centuries] (Moscow and Leningrad, 1940), 194-196.

98. See M. V. Stepanova, "I. G. Voznesensky i etnograficheskoye izuchenie severo-zapada Ameriki" ["I. G. Voznesensky and Ethnographical Study of America's Northwest"], *Izvestiya Vsesoyuznogo geograficheskogo obshchestva*, LXXVI (1944), 277-279; B. A. Lipshits, "Etnograficheskie materialy po severo-zapadnoy Amerike v arkhive I. G. Voznesenskovo" ["Ethnographical Materials on Northwestern America in I. G. Voznesensky's Archive"], *Izvestiya Vsesoyuznogo geograficheskogo obshchestva*, LXXXII (1950), 415-420; Ye. E. Blomkvist, "Risunki I. G. Voznesenskovo (Ekspeditsiya 1839-1849 gg.)" ["I. G. Voznesensky's Drawings (The Expedition of 1839-1849)"], *Sbornik Muzeya antropologii i etnografii AN SSSR*, XIII (1951); R. G. Lyapunova, "Ekspeditsiya I. G. Voznesenskovo i yeyo znachenie dlya etnografii Russkoy Ameriki" ["I. G. Voznesensky's Expedition and Its Significance to the Ethnography of Russian America"] in *Kultura i byt narodov Ameriki* (Leningrad, 1967).

99. See the above works by Blomkvist and Lyapunova.

100. *Kultura i byt narodov Ameriki* [Culture and Life of the Peoples of America] (Leningrad, 1967).

101. I. G. Voznesensky, "Otchyot akademiku F. F. Brandtu o puteshestvii" ["Report to Academician F. F. Brandt on My Trip"], LO AAN, f. 2, op. 1839, d. 9, ll. 89-93 rev. Voznesensky's "Report" has been extensively used in the aforementioned works of Gilzen and Lyapunova; unfortunately, Lyapunova, who has published part of Voznesensky's "Report," makes a number of errors and inaccuracies with respect to his trip to northern California because she used not the original "Report" but Gilzen's copy (LO AAN, f. 46, op. 1, d. 3, ll. 166ff.).

102. LO AAN, f. 2, op. 1839, ll. 91 rev.-92; Lyapunova, "Ekspeditsiya," 14.

103. LO AAN, f. 51, op. 2, d. 8, ll. 34-35 and f. 46, op. 1, d. 3, ll. 125-128 and 193-194.

104. *Ibid.*, f. 2, op. 1839, d. 9, l. 61 rev.

105. *Ibid.*, f. 46, op. 1, d. 3, ll. 15-16.

106. *Ibid.*, d. 2, l. 25.

107. Baneroft, *Register and Index*, 292.

108. LO AAN, f. 53, op. 1, d. 1/1, ll. 9 rev.-10.

109. *Ibid.*, l. 11 rev.

110. *Ibid.*, d. 1/2, l. 10.

111. *Ibid.*, d. 1/3, l. 17 rev.

112. *Ibid.*, f. 46, op. 1, d. 2, l. 28.

113. See Blomkvist, "Risunki." The necessity of further study of Voznesensky's unpublished materials is pointed out in a report by A. I. Alekseyev (see A. I. Alekseyev, "Puteshestviya I. G. Voznesenskovo po Dalnemu Vostoku i Russkoy Amerike v 1839-1849 godakh" ["I. G. Voznesensky's Travels through the Far East and Russian America in 1839-1849"], *Istoriya geograficheskikh znany i istoricheskaya geografiya*, 4 (1970), 36-39.

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## On the Brink of the Boom: Southern California in 1877 As Witnessed by Mrs. Frank Leslie

NINETY-FIVE YEARS AGO, *American tourists regarded Southern California as an exotic and inaccessible corner of the western wilderness. Although the transcontinental railroad had been running for almost a decade, the extension southward from San Francisco to Los Angeles had been open for only one year. The population of California south of the Tehachapi Mountains was barely 60,000.*

*In midsummer 1887, Frank Leslie, who was then the country's most enterprising magazine publisher, ventured into this mysterious territory with his wife, Miriam Follin Leslie, half a dozen friends and employees, a Skye terrier, and an abundant supply of canned oysters, soda crackers, and vintage champagne. Los Angeles was to be one of the final stops on the Leslies' extravagant, cross-country railway excursion, which had provided material for a book by Mrs. Leslie and dozens of articles in Leslie's Illustrated Newspaper. The travelers found the tempo of life in rural Los Angeles a relaxing contrast to the excitements of Omaha, Cheyenne, Virginia City, and other rip-snorting towns along the way; but the future metropolis of the southwest was approaching the end of its days as a bucolic Spanish pueblo. Within a few years, all of Southern California would explode in a major real estate boom—the beginning of a new era for the quiet agricultural settlements of the San Gabriel Valley and the Los Angeles coastal plain.*

*The following description of Southern California by Mrs. Leslie originally appeared in her book, California: A Pleasure Trip from Gotham to the Golden Gate (New York, 1877). Other episodes in the transcontinental journey ran in Leslie's Illustrated Newspaper over a period of several months. They have been edited with a modern commentary by Richard Reinhardt and published as Out West on the Overland Train (Palo Alto, 1967).*

THE GATEWAY to Southern California is the famous Tehachapi Loop, where the railway circles around and crosses over itself by tunnel—the only way of getting over the tremendous grade. Here, the country changes to a dry, desolate plain, dotted over with gray-green sagebrush and needle palms with twisted branches and shut in by hills as bare and brown as itself. It was a relief to get out for a few moments at Robber's

Roost, a spot beyond Mojave, named for the bandit Tiburcio Vásquez, who had his principal stronghold here. Between this place and Santa Barbara, Vásquez was captured several years ago, and later he was hanged at San Jose.

The rest of the way to Los Angeles is through the same monotonous and arid plain, among broken hills dotted with cactus and needle palms—hot, smoking and tropical. We had made an appointment to meet Mr. E. J. Baldwin and visit his ranch; but as he was not at the station on our arrival, we left our belongings in the car and sallied forth to view the town.

It was quite different from any we had seen, having a distinctly Spanish and semi-tropical air that made us feel we were almost in a foreign land. Most of the shops were open to the street, and in the fruiterers' stalls hung great bunches and branches of oranges with the leaves on, as if just plucked. Lemons, bananas, grapes, peaches and apricots also were offered in abundance. One felt that he was promenading the halls of an agricultural fair. It is hard to believe that just such fruits may be plucked at Los Angeles every day in the year. No doubt if poor Ponce de Leon had only come hither instead of going to sultry, boggy Florida, he would have found the Fountain of Perpetual Youth flowing into the San Gabriel River!

The salubrity, the charm and the equability of the climate are marvelous. A woman need not pass four anxious weeks in every year considering her spring, summer, autumn and winter clothes, since the thermometer never varies more than forty degrees through the year. Major Ben C. Truman<sup>1</sup> says he never changed his bed coverings from January to December.

The city itself, El Pueblo de Nuestra Señora la Reina de los Angeles, to give its full name, is "of a certain age," that is, an age difficult to determine. It originated in 1781, when Felipe de Neve, then Spanish governor of California, issued from his quarters at the Mission of San Gabriel, nine miles distant, an order<sup>2</sup> of a settlement bearing the name popularly contracted in California to "Angeles." The town thus founded consisted of twelve invalided soldiers, their families, and the horses, oxen, sheep, goats, asses and hoes provided for them by a paternal government.

The village vegetated mildly for fifty years or so, and in 1836, after the dear old Padres had been disturbed from their picturesque prosperity, Los

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1. Major Ben C. Truman, a publicist for the Southern Pacific Railroad, wrote countless articles, poems, brochures, and guidebooks in praise of the scenery and climate of California. Among his books are *Homes and Happiness in the Golden State of California* (1883) and *The Tourist's Illustrated Guide to the Celebrated Summer and Winter Resorts of California* (1884). In the early 1870's Truman was publisher of the *Los Angeles Star*, one of the two "major" papers in the town.

2. Governor Neve's order, issued on August 26, 1781, specified the size of building lots, farm plots, the method to be followed in distributing land to settlers, and the town plan for laying out the streets and plazas of the pueblo. The original settlers and their families—forty-six persons in all—were Indians, Negroes, mulattos, and a few Spaniards.



Angeles was made into a "city," so called, and became for a time the capital of Alta California. Still it consisted of only one crooked street of adobe houses, with a church, an alcalde's office, and no disagreeable novelty to show that the Nineteenth Century had gotten hold of it.

The discovery of gold brought this garden into notice. Capitalists, laborers and speculators came, saw, and settled. The street of adobe houses was relegated to the condition of a suburb, and an American city was added to it, as San Francisco was added to the Mission Dolores.

Churches, school houses, banks, factories, hotels and newspaper offices have sprung up. English is spoken generally, and railways connect the city with every point that anyone could wish to visit—and some, like Fort Yuma, that no one wishes to visit. Los Angeles has, in ten years, become a "live" American city and might, in one sense, date its age at no more than one decade. At any rate, like other creatures of an uncertain age, Los Angeles is more charming on acquaintance than at first sight. Residents become sincerely attached to the quaint, mild tempered, uneventful little city, with its lingering flavor of Spanish and monastic domination, its fruit and flowers, its sweet and fragrant atmosphere.

We found ourselves well pleased as we strolled up the wide street beneath the awnings and looked in at the open stalls. In one stood rows of great red jars for water coolers, reminding one of Ali Baba and the Forty Thieves; in another, gay stuffs for dresses, mantles and scarves, such as these half-tropical women love to wear.

Now and then we met a Mexican woman, head muffled in her shawl, or a Chinese—cool, sleek and comfortable. Near the Pico House we passed a Spanish hostelry with a shadowy green courtyard in front, a piano playing indoors and a brown señora with some pretty children strolling under the trees. We stopped to dine at a French cafe called the Commercial Restaurant, built around two courts, upon the larger of which the dining room opened. Sitting at table, we looked out upon the wide, sunshiny extent, with a gallery running around it, and some orange trees in odorous bloom. Opposite our windows were those of the kitchen, with the white-capped chef giving his orders within and a group of Chinese and French servants obeying them.

Our further explorations began with a photographer's salon, in one corner of which was a dentist's office, curtained off. We were curious to discover whether the period just before or just after the dental operations is considered most favorable for a picture; but neither dentist nor photographer came to enlighten us.

Later, we found ourselves in a square of little one-story buildings, with

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OPPOSITE: Victorian journalist Miriam Follin Leslie traveled overland to California in a private car with a coterie which included her husband and faithful Skye terrier. *Wells Fargo Bank History Room.*



many blue-clad, cork-soled, umbrella-hatted, cunning-eyed figures standing or squatting around, and one oddly coiffed woman stooping to relight a joss stick at her door. There were a few shops, small and dirty, but in Los Angeles one's taste becomes too distinctly Spanish to care for other flavors. We soon left this "Chinatown" and drove back to the older part of the city to gaze admiringly at the long, low, white walls and flat, tiled roofs of the adobe houses, the picturesque figures of their inmates and the glowing sunlight that shines only in Spanish countries.

Returning to the station, we found Mr. Baldwin, the kind San Francisco friend who had volunteered to show us his ranch and orange groves, waiting there with a six-in-hand carriage and a buggy. We started for Baldwin's Rancho Santa Anita<sup>3</sup> just as the great white moon rose above the hills, and soon we were out on an open plain, flying over hard, dry sod that rang like iron beneath the horses' hooves. The air was warm and balmy, the moonlight brilliant, the rapid motion exhilarating, and the whole drive delightful, except perhaps for the moment when the leaders of the six horse team suddenly gave a plunge, snapped the harness connecting them with the rest and galloped away into the distance. (The horses were found next day, one with a broken leg that could be cured only with a rifle ball, the other safe in the barn of a neighboring ranch where he had taken refuge.)

Despite this mishap, the twelve miles' drive was speedily accomplished. Suddenly rounding the corner of a great, unfenced field of barley, we drove through Mr. Baldwin's orange orchard, whose merits were to be judged by olfactory evidence, and arrived at the old Spanish ranch house, a long, low building, surrounded by a wide piazza, and completely buried in evergreens, tree-ferns and climbing vines. A great Chinese lantern hung in the piazza, and a demure little housekeeper stood ready to welcome us and take us to our rooms—charming rooms, large and cool, with deep window seats in the two-foot thickness of the walls.

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3. The vast and beautiful Rancho Santa Anita, extending from the marshy lowlands of El Monte to the foot of the Sierra Madre range, now subsumes the towns of Arcadia, Santa Anita, Sierra Madre, and part of Monrovia. The original holding of three leagues was granted by the Mexican government of Alta California to Hugo Reid, a pioneer Scottish settler, in 1841. Reid sold the entire rancho (more than 13,000 acres) to Henry Dalton in 1847 for \$2700. After having passed through the hands of several owners who reduced the total acreage to around 8000, Santa Anita passed to Harris Newmark, a Los Angeles banker, in 1874. Newmark paid \$85,000 and resold a few months later for \$200,000. The purchaser was E. J. "Lucky" Baldwin of San Francisco, whose stewardship of the property outclassed that of his predecessors by every material standard. Baldwin spent more than \$100,000 on orchard and shade trees, irrigation, roads, stables, and thoroughbred race horses, added 52,000 adjoining acres, and developed the ranch at its peak to a value of \$10 million. In the early 1880's, Baldwin began the first of a long series of subdivisions that changed the property to an urban residential area. As for the name of the rancho, there is no saint named Anita. The name is a Spanish diminutive for Anne—or, in Spanish, Ana.



Directly after breakfast the next morning, we went forth to see the plantation. Passing through a garden just behind the house, then by a pretty little lake, we crossed a wide open space, with prickly pears and mock orange vines all around and tarantula holes under foot. The wonderfully beautiful San Gabriel Mountains rose in purple cones beyond the arid brown plain, shimmering in the tropical sunshine. We were glad to get inside the cool, shady wine houses, where great tons of sherry, claret and angelica were tapped and offered for our inspection.

Coming out we found a carriage waiting to drive us to the stables. The road lay through hilly fields hedged with willow and pepper trees and past some Mexican huts, constructed wholly of thatch, with sailcloth tents adjoining. Half-naked children frisked in and out of these burrows, and hordes of dogs rushed yelping after us. The men work upon the estate and the women do nothing, unless taking care of hordes of babies may be considered employment. A little cluster of huts farther on was devoted to Chinese laborers, of whom Mr. Baldwin highly approves.

Through nearly every window of the enormous stables, a horse's head protruded in the most sociable manner. We were introduced to Grimstead, who was at the Saratoga races last year, and to several unnamed beauties with graceful heads, delicate limbs and coats shining like satin. In the very center of the stables is the head groom's sittingroom, hung round with pictures of famous horses, principally racers, diversified with a few famous women, principally actresses. Gray rugs and horse clothing lay neatly folded on shelves. Altogether, the place looked quite a paradise for a person of equine propensities.

Leaving the stables, we recrossed the dry plains, startling many little ground squirrels that scurried to their burrows and disappeared at our approach. Mock orange vines with their globes spaced wide apart were the only green things to be seen until we turned into the grounds of Mr. Leonard J. Rose's famous Sunny Slope Ranch, 1200 acres in extent<sup>4</sup>. There we found

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4. Second in fame only to Baldwin's Santa Anita, the 1960-acre Sunnyslope Ranch was a showplace of Southern California during the 1870's and 1880's. With acres of vineyards and orange groves, scores of superb horses, and more than 150 employees—Chinese, Mexicans, and Yankees—Sunnyslope represented to visitors from the East a sort of Mittel-European feudalism transplanted into the semi-tropical San Gabriel Valley. The owner, Leonard J. Rose, was an immigrant from Bavaria who had settled first in the Middle West, married an Iowa girl (Amanda Markel Jones, of Keosauqua), and made the overland trek to California in 1838. In 1860, Rose began buying land (\$1 an acre and up) in the gently rolling foothills two miles north of the Mission San Gabriel. Beginning with sixty acres of Mission grapes, he enlarged his vineyards until Sunnyslope had thirty-five varieties of grapes and produced 750,000 gallons of wine and 125,000 gallons of brandy a year. Rose's distilled spirits—pure white and 180 proof—were cut with water, colored with burnt sugar, and sold all over the United States as "Rose's Sunny Slope Brandy."



ourselves in a grove of orange trees that extended to an infinite distance in every direction. The trees were tall and sturdy, laden with heavy golden fruit and blossoms that filled the air with the perfume of a thousand weddings. The trees are planted in regular lines, each in a shallow basin of earth, which at certain intervals is filled with water. Farther on was a grove of lemons, the trees not so pretty as the oranges but laden with perfectly enormous fruit; then rows of fig trees, clumps of olive and, here and there, banana trees, although this fruit is not so much at home here as the fig, orange, olive and lemon.

From here we visited the Mill Ranch, owned by Col. E. J. C. Kewen,<sup>5</sup> who came to this part of the country more than fifteen years ago and founded his future homesite on the remains of an old stone building built a hun-

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When the Los Angeles & San Gabriel Valley Railroad was projected in 1886, Rose cut off a section of the ranch adjoining the line, named it Lamanda Park (a blend of his wife's name and his own,) and sold it as a residential suburb of Pasadena.

Still, the sale of the remainder of Sunnyslope to an English syndicate for more than \$1 million the following year surprised Rose and seemed to his patrician neighbors a disaster. Rose built a luxurious home at the corner of Fourth Street and Grand Avenue in Los Angeles and developed a new ranch, the 500-acre Rosemead, near El Monte.

Under the inexperienced management and absentee direction of the English syndicate, Sunnyslope ran into a huge deficit within five years. The land was broken up among the stockholders and eventually was subdivided into a fine residential area.

In May, 1899, Leonard Rose, deeply in debt, committed suicide.

5. E. J. C. Kewen, informally known as "Alphabet" Kewen, was a poet, orator, legislator, lawyer, Confederate patriot, Central American filibuster, and first attorney general of the State of California. Born in Mississippi in 1825, he was an almost exaggerated specimen of the aristocratic, hot-tempered gentleman popularly associated with the chivalrous traditions of the Old South. After serving as an officer in the Mexican War, Kewen practiced law in St. Louis, then followed the gold rush overland to California, where he married the eldest daughter of Dr. T. J. White, the leader of Kewen's immigrant party. Settling in San Francisco in 1852, Kewen plunged into politics, was elected attorney general, turned out the first book of verse published in California (*Idealina*, 1853), and delivered himself of innumerable florid speeches that were regarded as classics of refined rhetoric. While thus engaged, Kewen also filled in as financial agent for William Walker's abortive filibustering expedition to Nicaragua, later joining the campaign himself to avenge the death of his brother, one of Walker's officers. Moving to Southern California in 1858, Kewen bought the ruins of the old San Gabriel mill, "El Molino Viejo," and 450 acres of the surrounding Rancho San Pasqual, in 1861. The mill had been constructed under the supervision of Padre José María Zalvidea around 1810-1812. It was the first water-operated grist-mill in California and as such was, and is, a notable landmark. As Kewen's home, El Molino also became a social center for the San Gabriel Valley and a bastion of pro-Southern sentiment during the Civil War. (Kewen did not mask his feelings. In 1862, while an assemblyman from Los Angeles county, he was arrested and briefly imprisoned at the U.S. military barracks on Alcatraz Island because of his polemical attacks on the Union.)

dred and one years before by the Franciscan monks of the Mission San Gabriel as a grist mill and granary. Only the walls then remained, but they were five feet thick and flanked at each corner by heavy buttresses. Col. Kewen restored, improved and added to this ruin, and it stands today, one of the loveliest homes in California. No walls or fences limit the view. The eye roams over masses of heliotrope six feet high, roses of every shade, banks of honeysuckle, lilies, azaleas, passion flowers and pomegranates, cactii and aloes, and grand old willows, sweeping the ground with their slender fingertips.

But, with all the beauty of its surroundings, El Rancho del Molino is repellant to the Spaniards. It is haunted, they will tell you, by the spirit of the mill, a legacy bequeathed by the padres, who may have walled up some recreant nun or heretical priest in one of the great corner buttresses.

Col. Kewen and his family manage to exist here very pleasantly, however. The ghost does not trouble them half as much as the smouldering enmity of the native Spanish population, who regard the Anglo-Saxons as interlopers.

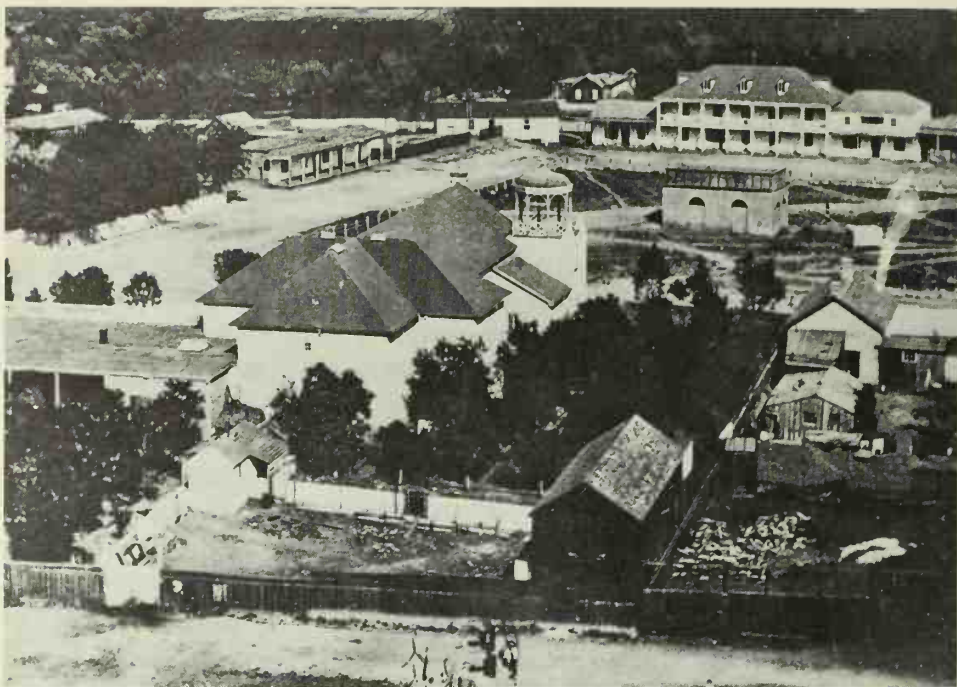
Not far from Mill Ranch is the home of one of these stalwart Spaniards: Mrs. Eulalia Pérez, the oldest woman in the world.<sup>6</sup> Her house is a quaint old brown adobe structure with a sloping roof and two or three wine vats built against the walls. On the piazza, we were met by a pretty Spanish girl, who showed us into a sittingroom and informed us that she was Señora Eulalia's great-great-granddaughter. Her own grandmother, the señora's young-

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Kewen died at El Molino Viejo in 1879. In 1903, Henry E. Huntington bought the mill and restored it to its original proportions. Since then, it has served as a real estate office and as a private residence. It is now Southern California headquarters of the California Historical Society. The building is located at 1120 Old Mill Road, San Marino, not far from the Huntington-Sheraton Hotel.

6. Mrs. Pérez, if not the oldest woman in the world, was certainly over 100 years of age. Her longevity probably accounts for the demonstrable inaccuracy of some of her statements. In 1877, the year of the Leslie's visit to San Gabriel, Mrs. Pérez dictated thirty pages of reminiscences (*Una Vieja y sus Recuerdos*) to a research assistant of Hubert H. Bancroft, the San Francisco historian-publisher, and Bancroft credited the old woman's veracity by using this memoir as the basis of an unflattering portrayal of one of the early priests at San Gabriel Mission. Bancroft had lingering suspicions, however, about Mrs. Pérez's true age. He was able to establish that she had been born in Loreto, Baja California, Mexico, and had immigrated to San Diego with her first husband, Antonio Guillen, a soldier, in about 1800. She was not more than thirty at that time, according to Bancroft's deductions, and that would have made her a mere 108 or 110 at the time of her death in 1878.

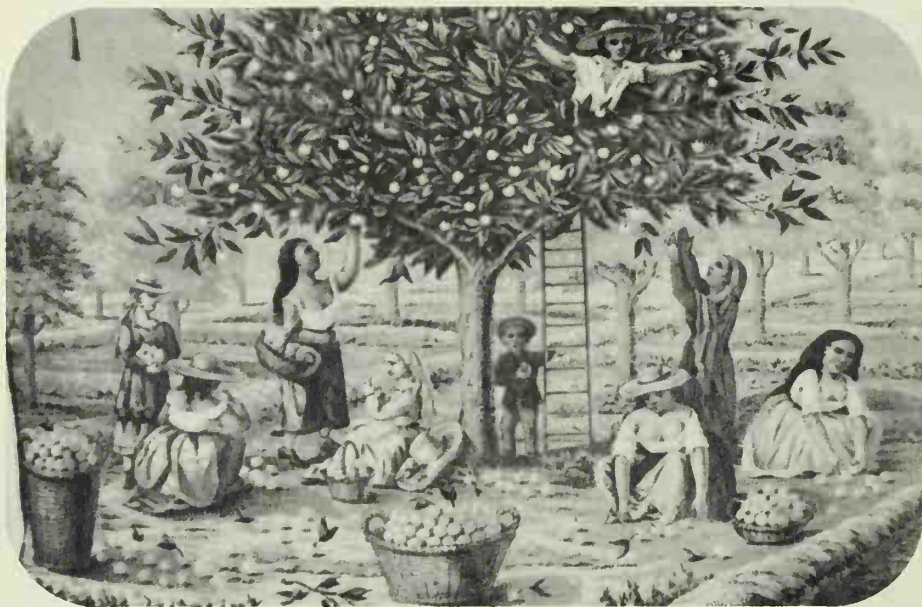
In any case, Doña Eulalia was widely and favorably known around San Gabriel as a nurse, midwife, and raconteuse. Through her second husband, Juan Marine, (they were married in 1832, when Juan was over 60 and Eulalia, by her own calculations, was close to 90) she was a claimant to the Rancho San Pasqual, which is now the site of Pasadena. According to Doña Eulalia, the priests at San Gabriel Mission had given her San Pasqual, a three-and-a-half league parcel of church lands, because they were



Pueblo Los Angeles grew up around the plaza and its church (center), completed in early 1820's. By 1869 when this photograph was taken, rancheros' town houses lined the other sides of the square. *Natural History Museum, Los Angeles*

In the 1870's California-made cigars were packed in boxes lavishly decorated with rural scenes, such as this vision of lush maidens plucking oranges from precarious perches. *California State Archives.*

Señora Eulalia Pérez, reputedly the oldest woman in the world, was well known in San Gabriel as a midwife and raconteuse. *California Historical Society.*







Already crumbling at the time of Mrs. Leslie's visit, Mission San Gabriel (1771), the fourth Spanish mission in Alta California, was still serving as a parish church. *California Historical Society.*

"More charming on acquaintance than at first sight," observed the circumspect Mrs. Leslie of the sleepy Mexican town. *California Historical Society.*



By 1880, Los Angeles was already beginning to bustle with Yankee businessmen and land speculators, who, seemingly overnight, erected banks and hotels to facilitate their financial dreams. *Natural History Museum, Los Angeles*





est grandchild, is sixty-five years old. Señora Eulalia herself is about 140—"but old as she is," the girl told us, with obvious pride in her own proficiency, "she cannot speak a word of English."

Presently she went out and returned with a short, shrunken figure, dressed in a dark calico shirt and sacque, gray shawl and gay carpet slippers, her head covered by a close-fitting black merino hood with a white kerchief inside. Her skin was seamed with a million fine wrinkles, and her eyes seemed to have disappeared altogether, leaving only two narrow loopholes, red as fire; but she presently gave proof that the power of discriminating sight remained. After having talked with me for some time, she asked if I were married and, if so, to which of the gentlemen present. I pointed out by husband, who stood at the farther end of the room.

"Well, I should not think you need have married a man with white hair," said Señora Pérez. And she added some comments upon my appearance, which showed that her sight was perfect, whatever may be thought of her taste and judgment.

The señora had been married twice. In her youth she had many lovers but could not decide which of them to marry until the padre insisted that she make a choice. Left a widow, she again made a selection, based on maturer judgment, and was even happier in her second nuptials than in her first.

When asked her age, she counted on her fingers ten, twenty, thirty, and so on, up to 140. It is on record that when the church of the Mission San Gabriel was built in 1771 she was a married woman with three children. Three daughters and two sons are still alive, and grandchildren up to eighty years old. Señora Eulalia lives with each of them alternately and goes to church every Sunday.

Last year [1876] it was proposed to take her to the Centennial Exposition in Philadelphia, and she actually went as far as the cars; but some of her relatives, to whom she is a source of revenue, interfered and brought her home again. Perhaps it is just as well. The fatigue and excitement would, no doubt, have been a risk.

She appeared really sorry to have us go, and she followed us clear out to the carriage. Pressing my hand in a firm, almost virile manner, she uttered in sweet, pure Spanish the blessing which comes with such authority from aged lips, and we parted with mutual regret.

As a suitable pendant to this visit, we drove to the old mission of San

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concerned about her welfare in the event that the government should secularize the missions. She, in turn, had swapped the rancho for Juan Marine's house and grounds at San Gabriel.

A number of details in Doña Eulalia's story do not gibe with known facts about the mission and its lands, but it is true that Juan Marine once owned Rancho San Pasqual. He got the grant from Governor Figueroa in 1835.

Gabriel<sup>7</sup> where Eulalia Pérez was born and doubtless will be buried. The church stands in a purely Spanish settlement of adobe houses, some roofed with thatch and some with fluted red tiles bound together with rawhide thongs. Everything is old and falling to decay except the chocolate colored children, the dirtiest, prettiest creatures imaginable, who swarm in and out of the uneven doorways.

The church itself is old and crumbling, with a sunburned, weary look about it, as if the downfall of the padres had disheartened and demoralized it. On the outside wall, high out of reach, are the empty niches of forgotten saints, and in a queer, gable-like belfry hang the old bells, cast in Spain more than a century ago for a church in the City of Mexico.<sup>8</sup> The bells contain no small quantity of silver and gold, cast into the cauldron of molten metal by men, women and children whose piety had been wrought up by the preaching of the missionaries. The bells were brought to San Gabriel on the backs of mules and oxen, the cost of transportation being one cowhide for each pound of metal.

The interior of the church was dusky and venerable, but poor—the windows high up, small and dusty, the roof unornamental and the floor uneven. A few bare pews (a modern innovation) and some *prie-dieux* afforded accommodation for such worshippers as objected to the floor.

On the pillars near the door hung tin placards, whose rudely lettered inscription, in English, gave an embarrassing hint of the conduct of our countrymen: "Take off your hats," and "Behave yourself."

With this admonition in mind, we went out to visit the old orchards, which are still well stocked with the fruits and vines that the Spanish fathers brought to such perfection. As we passed through a gap in the adobe wall, a

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7. *Mission San Gabriel*, founded by the Franciscans on September 8, 1771, was the fourth Spanish mission in Alta California and one of the most materially successful. The original structure was located on a bluff overlooking the Rio Hondo, then called Rio San Gabriel, about half a mile north of the present Montebello oil district. Repeated floods forced the friars to find a new location. In 1775 they moved the mission to its present site on Mission Drive in the town of San Gabriel.

The early history of San Gabriel was blighted by hostility and bloodshed between the local Indians and the undisciplined soldiers of the Spanish garrison; but in later years the mission was distinguished by the large size of its congregation, the wealth of its farms and pastures, and the influence of its ministry in a rich agricultural area.

8. The Bells of San Gabriel are among the most harmonious in California, but there is no proof that any of them were cast in Spain. It was, indeed, the custom of the King of Spain to give two bells—one large, one small—to each newly founded mission. Father Junipero Serra, the president of the missions, had occasion to remind the viceroy of this custom. There is only one mission bell in California that bears any proof that it actually was cast at the king's foundry or at his expense, and it is at Mission San Carlos Borromeo (Carmel). Most California bells came from Lima, Peru, South Boston and East Medway, Massachusetts, Sitka and Kodiak, Alaska, or Mexico

Mexican woman with bright blue eyes and a pleasant face came out to meet us, followed by a padre with a broad, bland face, smoking a cigarette. The padre was from old Spain, and his sixteen years' exile in California had reduced him to an apathetic condition. He seemed to take it for granted that I was a compatriot and daughter of the faith, addressing me as *bija* and making fatherly inquiries into my temporal concerns. Was I married? Yes. To a Spaniard? No, to an Anglo-Saxon. Well, perhaps I had done wisely. He had heard they were generally rich and kind to their wives, although they were not of the true faith. Yes, perhaps it was as well on the whole. . . .

Our last sight of the Mission remains indelibly in my memory. The arid plain, with its cone-shaped, purple Mission Hills closing the horizon; the lonely, antique church, silent and crumbling; the mossy old orchard with its adobe wall; the single hedge of cactus; the cluster of little huts; the two tall palms, standing gaunt and dry in the fierce sunshine; the dark grove of orange trees beyond the village; and, for all sign of life, a solitary rider, spurring his diabolical little horse across the plain.

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From the Mission we had a short drive back to Santa Anita, arriving just in time for a hasty toilet before dinner, which was as sumptuous as it was cheerful and home-like. Nothing could exceed the hospitality of the master of Santa Anita. From the moment of our arrival, when he surrendered his elegant apartment to our use, there was no courtesy that was not offered. The two days passed beneath his roof are one of our most pleasant reminiscences of California.

One seldom hears Mr. Baldwin's name spoken here without the prefix "Lucky." Certainly, his story shows him to be one of those rare individuals whose touch converts everything to gold. In all such histories, however, one may discern that the foundations of "luck" are shrewdness, clear-sightedness, courage and prudence, alternating with audacity. All these qualities I fancied myself able to read in our host's penetrating eyes and reticent lips. Knowing nothing of his career, I should have said, "There is a man who will have the oyster out of this world's shell." But I would rather call him "Tasteful" than "Lucky" Baldwin. His hotel, his theater and his ranch all prove him to deserve this title more distinctly than the other.<sup>9</sup>

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City. The usual artisans were Paul Ruelas of Mexico, George H. Holbrook of New England, and various nameless Russians of the Alaska colony.

The six bells in the tower at San Gabriel are no exception: two are Holbrook bells, cast in Massachusetts in 1828; two are Ruelas bells, cast in Mexico City around 1795 and given to the mission by the king; one is dated 1830 and has been at the mission for more than a century; and one, said to date from the founding of San Gabriel, somehow wound up at "Lucky" Baldwin's ranch and was returned from there to the mission in 1930.

9. "Tasteful" Elias J. Baldwin was especially known for his taste in race horses, tall trees, and women. The pursuit of wealth with which to acquire all three brought him

After dinner we strolled out and came upon the Chinese huts, outside of which the men were sitting eating bacon and rice with chopsticks. The huts were not so clean as those we had been accustomed to see, and the odor was pronounced; but they all looked very jolly and comfortable. Passing one, we arrived at the Mexican cabins and paused for a little conversation. The men spoke broken English, but the women, only Spanish. The huts were compounded of mud thatch and sailcloth and are hardly larger than a rabbit hutch.

At the door of one of the huts a stately woman with a black shawl round her head invited us, with an air of condescension, to come in and sit down. We accepted so far as to step inside and look around. In one corner of the mud floor some hens were peacefully burrowing. A small fire burned in a hole at the center; the stars peeped through the ragged thatch; and in a dark corner was a dim horror that may have been a bed. The whole house was no larger than one small chamber, and the roof was too low to allow a tall man to stand upright; but it was the home of a large family.

Returning, we stopped at the little lake in front of Mr. Baldwin's door and were rowed out in a pretty boat upon its moonlit waters. The shores were lined with coves in which herons and cranes were rustling about; and a chorus of frogs came in like a storm of castanets.

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Next morning we took leave of Santa Anita and San Gabriel, drove directly into town, bade goodbye to Mr. Baldwin and took train for Santa Monica,

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to California from Ohio, where he was born in 1828. He proved himself to be a shrewdly self-serving businessman. While running a livery stable in San Francisco, he struck fortune in Comstock Lode mining shares and reputedly made more than \$5.5 million in the stock of the Ophir Mine. His luxurious resort-hotel at Lake Tahoe, his hotel and theater on Market Street in San Francisco, and his celebrated horse farm at Santa Anita brought him national renown; but he was also celebrated for his five marriages, his love affairs, and his numerous "protective" relationships with young women. During the thirty-four years that Baldwin lived and reigned at Santa Anita, he developed the reputation of being a cross between a seventeenth century sultan and one of his own stud stallions. In appearance, however, he was a strange dandy, dressed nearly always in a black slouch hat, a single-breasted, long-tailed, black broad-cloth coat, gray striped trousers, and high boots.

Baldwin's name adorns a lake in San Bernardino County and the town of Baldwin Park (originally Vineland) which was renamed by its promoters in 1906 to dissuade Baldwin from founding a competing community on his nearby Rancho Puente de San Gabriel.

Baldwin died at Santa Anita in 1909, where he had been living in comparative poverty for several years. His thoroughbred barn, the rows of fine old eucalyptus and pepper trees he planted around his ranchhouse, his Queen Anne-style guest cottage, and other mementos are preserved in the Los Angeles County Arboretum, a public garden on the site of the ranch.



the Long Branch of California.<sup>10</sup> The railway is a new one, without connection,<sup>11</sup> but in its two years' existence, it has already paid the cost of its construction. It is a pretty route, running along by the Santa Monica Mountains to the sea, where it ends in a pier nearly a mile long running out into the Pacific Ocean.

We reached Santa Monica about four o'clock. On the right stands the hotel, consisting of two large, two-storied buildings, connected by covered piazzas, with spacious, well furnished rooms quite equal to the same class of accommodations in the best hotels of the Atlantic shore. At a short distance is a pavilion containing fine bowling alleys, a ball room and a rink for skating. Beyond the hotel several flights of wooden steps—again reminding us of Long Branch—lead down to the beach. The cliffs have the appearance of crumbling, brown earth, but in reality they are composed of solid rock, as one member of our party discovered in attempting to run down a steep incline. Striking his heel into what he supposed was soft earth, he was repelled by the rock and arrived at the foot of the cliff sorely bumped and bruised.

The beach is soft white sand, without pebbles or shells but strewn with seaweed. The sea was calm and blue as a sapphire, and the brown cliffs curved gracefully down to meet it, forming the Bay of Santa Monica, certainly one of the prettiest on any coast. We wandered up and down until tea time, and the younger and more romantic portions of the party returned to enjoy the scenery by the light of the full moon.

At the end of the long pier was a little house, occupied by a polite young man who offered his spyglass with which to see the buoys upon which seals congregate. After a little effort we were able to make out writhing, black creatures that might have been seals or kelpies, for all we could determine. Last year, a very big seal climbed up the cliffs to the hotel and tried to enter the parlor. He was driven back to the sea with some difficulty but renewed the attempt on another night, leaving no doubt in any reasonable mind that he was the victim of enchantment.

Next morning we drove out by carriage, taking some newly constructed roads and some that were not constructed at all, only staked out, for Santa Monica is a new place. After winding through thickets of chaparral and

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10. Long Branch gained instant social distinction among the beach resorts of the Atlantic Coast when President Ulysses S. Grant took a beach house at the New Jersey settlement and made it his summer White House. Later, Ocean Grove and Asbury Park became more fashionable than Long Branch, but even the enthusiasm of Mrs. Frank Leslie was not enough to raise Santa Monica to that eminence in 1877.

11. The Los Angeles and Independent Railroad contemplated building an elaborate route from Los Angeles to the Nevada border by way of Cajon Pass and the Mojave Desert. The only track completed, however, was the portion between Santa Monica and Los Angeles, which opened late in 1875.

sumach, we emerged in a little canyon where stood a wooden house surrounded by children, dogs, a pet lamb and rows of beehives. This famous ranch was built recently by a bee-raiser who had been obliged to leave his own ranch because it had been deserted by the bees. We walked quite unharmed among the rows of hives two-stories high. Each box is fitted up with frames in which the comb is made. When the comb is filled, the frames are taken out, placed in a machine and whirled round and round until the honey is thrown out by centrifugal force. We saw no flowers growing near and could not imagine how the bees subsisted; but the bee-rancher told us they will travel miles to find their favorite food.<sup>12</sup>

Time pressing, we drove back to the hotel and soon were on our return trip, traveling in a private palace car—a perfect little *bijou*—belonging to Senator John P. Jones of Nevada, the chief entrepreneur of the railroad. As we departed Los Angeles, Mr. Fragnani, an artist who lives and works near the Mission San Gabriel, presented us with a fine specimen of the horned toad, a beast peculiar to Southern California. They are said to become so tame as to answer to a name, and they certainly are very economical pets, living entirely on flies.

Our toad, for whom a rat trap was purchased as a domicile, bore the journey admirably. The young, unmarried lady of our party constituted herself the toad godmother, and the gentlemen developed wonderful zeal and industry in catering to him. But soon after his arrival at his new home in the East he sickened, declined the daintiest of flies, emaciated painfully, seemed to collapse and finally became extinct.

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12. Bee-keeping was the most glamorous agricultural pursuit in Southern California in the late 1870's. Fostered primarily by men and women who had moved west in search of healthful climate, the industry was producing 9 million pounds of honey a year by 1884, and California became the leading honey-producing state in the nation.

# REVIEWS

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Charles Wollenberg, *Review Editor*

Traditionally, book review sections of historical journals are editorial afterthoughts, space-fillers for the last few pages. In past months, we have tried to transcend that concept and make the review section of the *Quarterly* a vital part of the journal. There is, in fact, no longer simply a "book review" section; the last issue contained a pictorial essay on the Special Collection of the San Francisco Public Library, and this issue has a similar piece on the woman's history holdings of the society's own library. In future issues, we hope to review other library collections and special exhibits.

We also are publishing historiographical articles, longer than normal reviews, that treat recent scholarship in a particular field of California history. The Winter, 1972 *Quarterly* carried a modest article of this type on ethnic history, and in the near future we will publish a more extensive essay on Mexican-American historiography. With this issue, we are initiating a regular bibliography of recent publications in California history prepared by the society's librarian, Peter Evans. This list will inform readers about important works when they are published, rather than months, or even years, later when they are reviewed. It also will provide information about works we are unable to review. The listing and reviews will be limited to books dealing solely or largely with California, and occasionally we will cover works outside the field of history, even works of fiction, that we judge to be of particular importance or interest to our readers.

The changes outlined here are not intended to replace the valuable book reviews normally carried in the *Quarterly*, but rather to supplement them. Our aim, of course, is a review section that is more enjoyable and useful for our readers. If you have comments or suggestions, please let us know.

## Library Resources: CHS Collections on the History of Women in California

LYNN BONFIELD DONOVAN, *manuscript librarian of the CHS library.*

A DEMAND BY RESEARCHERS for material relating to women's history has been noted in recent months by the staff of the CHS library. This demand, a by-product of the new feminist movement, comes from students enrolled in college courses dealing with the role of women in history, as well as from people in publishing and the mass media.

The manuscript collection in the library includes letters by authors Gertrude Atherton and Ina Coolbrith; educators Aurelia Henry Reinhardt and Kate Douglas Wiggin; and philanthropists Phoebe Apperson Hearst and Jane Lathrop Stanford. Other fine collections of personal papers include those of Louise A. Sorbier, San Francisco suffragist and philanthropist who was active in the Women's Educational and Industrial Union, and her daughter, Cecile Marie Sorbier, president of the San Francisco Club. Another philanthropist whose papers are held by the library is Janet M. Peck, state chairman of the Serbian Relief League of California and a long-time friend of the Hearst family. Her collection includes several boxes of identified photographs of her family and friends.

In addition to the papers of individual women, the library houses many fine archival collections of women's organizations. The records of the Baby Hygiene Committee of the American Association of University Women, 1900-1954, detail the fight for purified milk. Record files from Girls' High School of San Francisco, 1864-1907, list the name, address, age, birthplace, and father's name and occupation of enrolled students. These names are being indexed for the card catalogue. The library is also the official depository for the archives of the League of Women Voters of San Francisco and the League of Women Voters of California. Both of these files begin in 1911, after California women won the vote, and continue to the present. Recently these papers have been supplemented by oral interviews with past presidents.

The library's large photograph collection has pictures, informal as well as studio shots, of actresses Caroline Chapman, Blanche Bates, Lotta Crabtree, and Lola Montez; opera singers Emma Nevada and Sibyl Sanderson; and dancer Isadora Duncan. Unusual photographs of Congressperson Florence Prag Kahn, reformer Kate Kennedy, Dr. Cloe Annette Buckel, and educator Sarah Brown Cooper are also available.

Women, but particularly California and western women, have been neglected by American historians. Of the 1,359 entries listed in *Notable American Women* (Harvard University Press, 1971), only forty-two are women whose major contributions are associated with California. Of these, nine are



entertainers and eight are authors, leaving only twenty-five whose reputations remain within the state. The increase in researchers in the library working on women's history indicates that this neglect will be amended. The library, located at 2099 Pacific Avenue, is open to the public Tuesday through Saturday, 10 a.m. to 4 p.m. (holidays excepted).

*"Although they made a brave fight for a plank in the Republican platform, they failed," commented the San Francisco Examiner in August, 1908. Mrs. Lillian Harris Coffin, Mrs. Theodore Pinther, Jr., and Mrs. Theodore Pinther, Sr. (from left) had marched with other women on the Republican state convention meeting in Oakland.*





society women and an actress were  
ing the ranks of active California women.  
be Apperson Hearst (above), pictured  
n her life, was a prominent philanthro-  
and especially known for her contribu-  
to education from the kindergarten to  
anced graduate levels.

ays youthful looking, Lotta Crabtree  
ve right), born in 1847, was the theatri-  
arling of the California mining towns.  
First appeared on the stage as a youngster  
ght and, in later years, extended her tours  
e East and Midwest.

ghter of a suffragist and philanthropist,  
e M. Sorbier (right) served as president  
e San Francisco Club. This picture,  
a c. 1906, is in the collection of her per-  
papers held by the society.

84: Although ill in the last years of  
ife (photo c. 1920), Ina Coolbrith, for-  
y a librarian and a noted California poet,  
ed a central role in the San Francisco lit-  
salon.







## Book Reviews

*Busing and Backlash: White Against White in an Urban California School District.* By Lillian B. Rubin. (Berkeley and Los Angeles: University of California Press, 1972. 248 pp. \$7.95.)

*Reviewed by* CHARLES WOLLENBERG, *instructor of history at Laney College, Oakland; book review editor of the quarterly.*

IN 1859 California's superintendent of schools, Andrew J. Moulder, claimed that "the great mass of our citizens will not associate in terms of equality with those of inferior races; nor will they consent that their children should do so." From Moulder's time to the present, racially segregated schools have existed in California. Until 1947, when the legislature deleted the last segregation provisions from the Education Code, some of these segregated schools existed in accordance with California law. Yet few serious studies, historical or otherwise, have been written on school segregation in California, and most of these studies take a pro-integrationist point of view which gives short shrift to the arguments and motives of the opponents of desegregation. For example, John and LaRee Caughey's analysis of the Los Angeles situation, *School Segregation on Our Doorstep* (Los Angeles, 1966) and Neil Sullivan's description of Berkeley's successful integration program, *Now is the Time* (Bloomington, 1969), devote little attention to the anti-integrationist point of view.

This is not the case with Lillian B. Rubin's *Busing and Backlash*, an account of the notably unsuccessful attempt to integrate the Richmond schools between 1965 and 1969. For Dr. Rubin, a professional sociologist and parent in the Richmond District, the controversy was not so much a conflict between black and white as, in the words of her subtitle, a case of "white against white in an urban school district."

In 1965 the Richmond school board was controlled by liberal, upper middle class professionals who had little in common with the lower middle class working people who made up the majority of the district's residents. Representatives of the area's substantial black minority demanded that the board adopt a school integration policy, a demand eventually backed by the courts. The board responded with hesitant steps toward total desegregation through busing, and the "silent majority" soon became vocal. In school board elections in 1967 and 1969 all liberals were swept out of office and replaced by anti-busing conservatives. It was, according to Rubin, a "failure of liberal politics—a case history of its inability to cope with an issue that arouses strong feelings, that divides deeply and that brings large numbers of formerly inactive men and women into the political arena. Similarly, the conservative success is rooted in a socio-political system that too often failed to hear, to understand, and to react to the needs of those in the working class and lower middle class."

Rubin fully recognizes the racist and authoritarian elements of the conservative position (and, at times, the liberal position) in the Richmond controversy. But she sympathizes with white, working class parents who view integration as something against their interests forced upon them by people whose outlook and experience is different from their own. To many whites in Richmond, school integration not only meant racial mixture in the classroom, but also loss of educational quality and hard-won social status. Dr. Rubin takes such attitudes seriously and is as unwilling to accept abstract, academic theories of "working class behavior" as she is the popular "hard-hat" stereotype.



The book ultimately becomes a discussion of a liberal dilemma: how to achieve the ends of integration and racial justice when the majority of citizens is unwilling to support the necessary means. The dilemma is a personal one for Dr. Rubin, for in spite of her understanding of the conservative position in Richmond, she remains an advocate of school integration. The book does not resolve the dilemma; indeed, the conclusion is the least convincing part of the work and the chapter in which the otherwise acceptable prose becomes wordy and vague.

But *Busing and Backlash* is still a book of great value, a work that is required reading for anyone interested in race, class and urban education in California. Rubin's study raises important questions, not only for sociologists and educators, but also for historians. The book might have contained a more comprehensive background chapter if historians had done the basic research on the state's long heritage of school segregation and on the events during the past thirty years which turned small, homogenous towns such as Richmond into racially and socially diverse industrial cities. The decades that began with World War II are an historical era as important to the development of the state as the periods following the Gold Rush or the arrival of the transcontinental railroad. It is time historians recognized that fact.

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*Phil Swing and Boulder Dam.* By Beverley Bowen Moeller (Berkeley: University of California Press, 1971. 199 pp. Illustrations. \$8.50.)

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*Reviewed by* PAUL S. TAYLOR, *emeritus professor of economics at the University of California, Berkeley, who has served in advisory capacity to many public agencies.*

HARNASSING THE COLORADO RIVER at Boulder Dam was a major episode in development of the West. Its immediate purposes were to save the Imperial Valley from the imminent hazard of inundation, to generate electric power from falling water, and to irrigate parched land. Its accomplishment was also a human drama. The author recounts step by step the unremitting and skillful efforts of Phil Swing to make the project a reality. As private citizen and as congressman he, with the collaboration of Hiram Johnson, won congressional authorization in the late twenties and initiation of construction in the early thirties. In the author's well-documented opinion it is ironical to have conferred upon the high dam the name of Herbert Hoover, who never gave it his wholehearted support.

The author tells the story against its background of conflicting forces. One problem facing Swing was reconciliation of claims to water by the states of the basin, claims adding up to more water than flowed in the river's channel. Another problem was the conflict of interests between those who wanted an all-American canal to deliver water to Imperial Valley lands, free of enlarging claims by landowners on the Mexican side of the international boundary, and the latter who wanted more water. Another issue was private versus public power: Who was to construct the power plant at the dam and control distribution of the power?

The author reveals these issues, obstacles Phil Swing had to overcome to complete his project as they emerged. Swing assuaged the conflicting claims of the basin states, at least temporarily and adequately enough to win congressional approval, by making the project subject to an interstate water compact. The author explains that the compact meant "that the faster-developing states would have a limitation placed on their right to appropriate water. The water law of the West, 'first in time, first in right,' was abrogated by the compact. . . . The upper states could not permit a dam without a

compact which would assure them of their share of the river at some future date when they could utilize it."

Opposition to an all-American canal came from American landowners on the Mexican side of the international boundary. "Swing's early advocacy of an all-American canal was antithetical to [Harry] Chandler's vast land interests in Mexico. By 1924 over 185,000 acres of irrigated Chandler land were farmed by lessees on a royalty basis ranging from 16 to 20 percent of the gross income. . . . The Mexican lands were entitled to half the flow of water through the Alamo canal according to a 1904 agreement made by the principals of the old California Development Company and the Mexican government. If a canal were to be constructed capable of carrying water to the Imperial Valley on the American side of the border, the burden of obtaining water for their own lands would fall on the proprietors of the Mexican lands." This opposition was overridden.

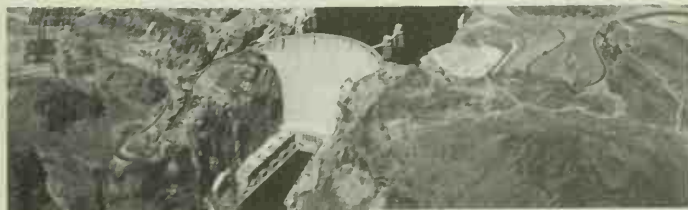
The issue of private versus public power revealed opposition to anything more than a low flood control dam, and it stimulated imaginative tactics. Talking to men in middle western and southern agriculture, Swing encountered opposition to the entire irrigation project. In the cotton-growing area farmers objected that the project would put a million more acres into the competing production of cotton. In corn country farmers objected that it would put a million more acres of corn in the market. In the wheat belt the story was that it would put a million acres into wheat. "The same kind of opposition, the same acreage figure with crop altered to fit the geographic area, spelled the organized effort of the power companies," the author concludes.

On the personal side, the author tells of the embarrassment caused Swing by opponents who exploited the fact that while a congressman he had accepted \$708 as counsel for the Imperial Irrigation District, a sum he later returned. No violation of law was ever established, but the incident was used against him.

Moeller's story is of a man devoted wholeheartedly to assuring fullest development of Colorado River waters in the public interest. One problem raised by the Boulder Canyon Project Act now receiving increasing attention in the courts is not touched upon. In 1933 Secretary of Interior Ray Lyman Wilbur waived application of reclamation law and policy limiting water deliveries to 160 acres per individual and made no move to apply the requirement of residency by the water receiver. The omission of acreage limitation was pointed out by Interior Solicitor Fowler Harper as early as 1944. Both issues are now in the federal courts. It does not appear in the book whether Swing or Johnson were aware of these issues of fundamental national policy designed to create homogeneous communities by favoring resident working farmers over monopolists of land and water. The public record shows that at least in 1926 Swing did not intend national acreage limitation policy to accompany the national financial subsidies he was seeking for the lands of Imperial Valley.

The author's sense of human drama is acute, and she writes beautifully. It seems almost unfair to note that typographic errors confusing to the reader appear on page 88, line 11, and on page 143, last line.

Conflicting claims and policies have attended the Boulder Dam project from its inception to the present.



*Sketches of A Journey on the Two Oceans and to the Interior of America and of a Civil War in Northern Lower California by the Abbe Henry J. A. Alric.* Translated by Norah E. Jones. Edited by Doyce B. Nunis, Jr. (Los Angeles: Dawson's Book Shop, 1971. 215 pp. Illustrations. \$20.00.)

*Reviewed by W. MICHAEL MATHES, professor of history at the University of San Francisco.*

ALTHOUGH PUBLISHED in three editions, the first in Mexico in 1866, and the second and third in Paris in 1867 and 1869, Alric's *Sketches* is among the rarest and least known journals of nineteenth century Baja California. This first and excellent translation by Norah E. Jones, published as volume 24 of the Baja California Travels Series, incorporates the texts of all three previous editions to provide the reader with a maximum of detail. Alric's text is preceded by an extensive and comprehensive introduction by Professor Doyce B. Nunis of the University of Southern California. The introduction is, in fact, a brief history of northern Baja California from 1850 to 1860 as well as a short biography of Alric, and therefore it clarifies *Sketches* by placing it within the greater context of the history of the region.

Alric, born in France in 1805, immigrated to Alta California in late 1850 and was named pastor to the French miners in the Sonora gold fields by Archbishop Joseph Sadoc Alemany in San Francisco. The first two chapters of *Sketches* describe the voyage from France via Cape Horn and Hawaii to San Francisco, and Alric's five years of service in the violent and brutal mining town of Sonora, where it appears that his primary function was the burial of victims of "Judge Lynch."

The disillusionment of Sonora led Alric to volunteer his services in the isolated *frontera* of Baja California. Chapter three describes the voyage by sea to San Diego and the overland trip southward to Santo Tomás in early 1856. Following his arrival in Santo Tomás, Alric conducted a tour of the *frontera* which he describes in his fourth chapter, along with vignettes of ethnology, geography, climate, and resources, as well as some rather vague statistics relative to the missions in the area.

Although Alric had left Alta California to escape frontier violence, he soon found that the area of his pastoral efforts was in the process of erupting into civil war. In chapters five and six he describes in detail the complex political machinations of the José María Castro and José Matías Moreno factions which led to bloody conflict, plunder, murder, and extensive destruction in the *frontera* from 1858 to 1860.

His mission in ruin, Alric left Santo Tomás for Mexico City in January, 1861. Traveling via San Diego and Temecula, he remained in Yuma for a short time prior to crossing into Sonora. Passing through Altar and Hermosillo to Guaymas, Alric boarded a United States ship in that port and sailed to La Paz from whence he proceeded by sea to Mazatlán and San Blas. Continuing his journey by horseback and stagecoach, he visited Tepic, Guadalajara, and Querétaro before reaching Mexico in August. The details of the hardships of the trip, of the problems of banditry, and of the destruction caused by the War of the Reform are given in chapters seven and eight.

Upon his arrival in Mexico City, Alric became a pastor to the French colony, but within little more than a year he became involved in the French occupation of Mexico and the establishment of the Empire of Maximilian. As a Frenchman, in November of 1863 Alric became the chaplain of French troops quartered in Tacubaya and served in this capacity until the withdrawal of French forces under Marshal Bazaine in February, 1867. This service, as well as vignettes of the history, ethnology, and civilization of the Valley of Mexico, is the subject of chapter nine.

With the success of Benito Juárez, the French enterprise in Mexico rapidly declined,



and as the forces of Napoleon III returned home, Alric did likewise, sailing from Veracruz in April, 1867. In his final chapter he describes the return voyage and his elation upon his return to Paris where he would serve as a parish priest until his death in 1883.

Alric's text is well annotated by Professor Nunis, who has thereby both illuminated and expanded it. An analytical index follows the text, although a supplementary bibliography would have been more desirable in its place since the entire Baja California Travels Series will be cumulatively indexed in its final volume. The quality of Alric's *Sketches* is, of course, in keeping with the high standards set for the series by Glen Dawson and Edwin Carpenter, its general editors.

*The Life and Adventures of James P. Beckwourth, As Told To Thomas D. Bonner.* Introduction, notes, and epilogue by Delmont R. Oswald. (Lincoln: University of Nebraska Press, 1972. Illustrations. 649 pp. \$9.75.)

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*Reviewed by* RICHARD H. DILLON, *head librarian of the Sutro Branch, California State Library, San Francisco.*

THIS EXCELLENT EDITION of a classic of Western Americana has appeared at an opportune time—virtually coincidentally with Elinor Wilson's biography of Beckwourth (or Beckwith) for the University of Oklahoma Press. Used together, the volumes should constitute at long last a definitive biography of the mulatto mountain man.

Beckwourth was the natural son of a Virginia planter and a Negro slave girl. Emancipated by his father and encouraged to seek his fortune in the West, he did just that in the face of great odds. (Only one other black, Ed Rose, became a major figure in the Rocky Mountain fur trade.) From the time that he served in General Ashley's 1824 expedition until his death in 1866, he was a prominent figure in the western mountains and plains. His one major absence was during Florida's Second Seminole War in which, typically, he claimed to have served as a captain of scouts but was, more likely, a muleteer, packer, or something of that sort.

For years, Beckwourth's reminiscences have, understandably, been heavily discounted by historians, because the man was such a liar and braggart. When he was not rescuing General Ashley three times over from death, he was telling-off or bluffing-down the likes of Tom ("Broken Hand") Fitzpatrick. Had shrinks or trick-cyclists been the vogue a hundred and forty years ago, they would have had a field day with Jim. It was as if Beckwourth's ego, suffering from a psychological tape worm, needed constant stuffing.

Early on, however, scholars like Charles Camp and Dale Morgan realized that there was about as much truth as fiction in Beckwourth's accounts. He was imaginative, but he was not a novelist. And, above all, he *was* there. Now we have a detailed going-over of the incidents of his career which makes the *Life* much more useful to those of us concerned with the facts of history, as opposed to folklore and legend. Oswald might have been even tougher on Jim, but he probably became too fond of his subject to be as ruthless in his third-degree as he might have been.

*Life* is substantially more important to historians of the Rocky Mountain West than to those interested in the Pacific littoral. Beckwourth's role inland was larger. He was a "chief" (subchief, probably) of the Crows, not the Modocs or Mojaves. Not until page 503 of some 535 pages of narrative does he arrive in California, alas. And, for a blowhard, he is close-mouthed indeed about his role as horse rustler on the coast with Pegleg Smith and the Ute renegade, Walkara. Although Oswald supplies an epilogue which carries forth Beckwourth's career from the time he dictated the book



to T. D. Bonner in Indian Bar *circa* 1851, it contains just the bare bones of the dozen and more years remaining of his career.

An undependable book can become a classic of Western Americana, *vide* James Ohio Pattie's narrative. This is the case with Beckwourth's *Life*. Jim ignored time, geography, and cast of characters if he could make a good story better. And he could not abide being on the sidelines in any incident; he had to hog the limelight—even if he was not there. And, finally, he had an expansive way with figures. If he led fifty Crow warriors on a raid, the number in imperishable print had to become 500. Yet he was a great character in the heyday of beaver trapping, and his account is a great source of information when used with care. He met and knew practically every important member of that "reckless breed of men" who pioneered fur trading (and horse stealing) in the West. While not the gospel truth, the memoir seldom contains incidents which Beckwourth and editor, co-author, or ghost Bonner scissored out of whole cloth. As literature, the endless raids and counter-raids of the bloody Crow v. Blackfeet campaigns become a bore. But as history, even flawed history, this is a book of great importance to an understanding of the mountain, plains, and Great Basin West.

*On the Mother Lode.* By Philip Ross May. (Christchurch, New Zealand: University of Canterbury, 1971. 63 pp. Notes. \$5.55.)

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*Reviewed by* GEORGE R. STEWART, *Professor Emeritus of English at the University of California, Berkeley, and author of many distinguished books on California history including* NAMES ON THE LAND (1945), DONNER PASS AND THOSE WHO CROSSED IT (1960), THE CALIFORNIA TRAIL (1962), *and* FIRE (1971).

IF YOU ARE WRITING a novel about the California Gold Rush, don't have your hero say anything—in 1849 or even in the 1850's—about the Mother Lode. At least, according to Philip Ross May (and he makes a good case, in his present book) for you will thereby be committing an anachronism.

In this small volume the author considers what the Mother Lode, by different usages, has been thought to be—a rock-formation, a region, a romantic ideal. If it is any or all of these, just what formation or region or ideal?

The author devotes his main drive to the history of the name, with interesting results. He discusses the usage of Veta Madre, established in Mexico and doubtless used by early Mexican miners in California, though whether with reference to California is less certain. He demonstrates that—as a term in English, being a literal translation of Veta Madre—Mother Lode arose at a comparatively late date. To the chagrin of professional Californians, he points out that the term Comstock established itself about 1866, replacing the previously current Washoe. Shortly thereafter, in 1868, comes the appearance of the term "mother lode," soon to be granted capital letters and to remain as a *riposte* of California to Nevada: "Our Mother Lode is just as good as your Comstock Lode, and maybe better." Possibly, even the speculators in mining stocks had something to do with the adoption of the new and catchy term—with Mother an early example of Momism, and Lode inevitably suggesting Load.

To exercise the reviewer's inalienable right to be captious, I might point out that the author hardly (considering the detail in which he has worked) makes enough use of the Mexican-Spanish background. The term *madre* appears elsewhere in California, at least once in Sierra Madre, as well as in New Mexico and in Mexico itself. Some investigation of the meaning association with *madre* might have been illuminating.

We are thankful and honored to have, from the farther island of far New Zealand, this well-nigh-exhaustive treatise on our own Mother Lode.

# California Check List

PETER EVANS, CHS librarian

IN ORDER TO keep society members posted on publications in California history which might be of interest, a selected bibliography of recently published or soon-to-be-published books will be provided in the quarterly on a regular basis. Its purpose is not only to list books published on a national scale and supported by large advertising budgets, but also to notify readers of the many books—and booklets—published by historical societies, book dealers, local publishers of limited means, and the like.

The list is limited to material published within the past year (1972) and to forthcoming books. On occasion, as space permits, we shall list reprints or new editions of older works. Where the publisher is national or the item available in most books stores, only standard bibliographical data will be provided. Where the publisher is less known or the book's projected circulation more limited, the address of the publisher or distributor will be supplied.

We hope this list will be of profit to authors and publishers, and to all who are interested in California history—whether it be history on a panoramic scale or history as viewed through the magnifying glass of local interest. Please notify the compiler of future local publications, including author, title, location and name of publisher, date of publication, price, number of pages, and any special ordering instructions. Send the notice to: Peter A. Evans, Librarian; California Historical Society, 2090 Jackson Street, San Francisco, 94109.

Armstrong, Alice Catt, ed. *Who's Who in California*, 9th ed. Los Angeles: Who's Who Historical Society. 1972.—1331 Cordell Place, Los Angeles 90069 (\$38.50 + tax)

Baer, Morley, and Augusta Fink. *Adobes in the Sun: Portraits of a More Tranquil Era*. San Francisco: Chronicle Books. 1972 (\$14.95)

Barras, Judy. *Tehachapi: The Formative Years*. n.p.: Judy Barras. February 1973. —The Formative Years, P.O. Box 521, Tehachapi, CA 93561 (\$3.15)

Beck, Warren A., and David A. Williams. *California: A History of the Golden State*. Garden City: Doubleday & Co., Inc. 1972. (\$11.95)

Bloomfield, Arthur. *50 Years of the San Francisco Opera*. San Francisco: San Francisco Book Company. 1972. (\$14.95)

Boyd, William Harland. *A California Middle Border: The Kern River Country, 1772-1880*. Richardson: Havilah Press. 1972. —807 Clearwater Drive, Richardson, Texas 75080 (\$8.00 plus tax and shipping)

Casebier, Dennis G. *Battle at Camp Cady*. n.p. 1972. —Dennis G. Casebier, P.O. Box 307, Norco, CA 91760 (\$2.50)

———. *Camp Rock Spring, California*. n.p. Spring 1973. (\$ ? )

- \_\_\_\_\_. *Carleton's Pah-Ute Campaign*. n.p. 1972. (\$3.50)
- Chamberlain, Newell D. *The Call of Gold: True Tales on the Gold Road to Yosemite*. Fresno: Valley Publishers. 1972. —1759 Fulton St., Fresno 93721 (\$5.95)
- Cogan, Sara G. *The Jews of San Francisco and the Greater Bay Area, 1849-1919: An Annotated Bibliography*. Berkeley: Western Jewish History Center. Spring 1973. —2911 Russell St., Berkeley 94705 (\$22.50)
- Conny, Peter Thomas. *Seventy Years of Service: The History of the Knights of Columbus in California, 1902-1972*. Los Angeles: California State Council, Knights of Columbus. 1972. —1318 West 9th St., Los Angeles 90015 (\$8.95)
- Connor, Seymour V., and Gale Webber, eds. *The Museum Journal, XIII—Chronicles of the Yaqui Expedition*. Lubbock: West Texas Museum Assn. 1972. —P.O. Box 4499, Lubbock, Texas 79409 (\$8.50 cloth, \$6.00 paper)
- Conrotto, Eugene. *Miwok Means People*. Fresno: Valley Publishers. March 1973. —1759 Fulton St., Fresno 93721.
- Crandall, Chuck. *They Chose to Be Different: Creative California Homes*. San Francisco: Chronicle Books. 1972. (\$9.95)
- Crerar Library. *Pamphlets on Pacific Railway Projects*, Crerar Classics Ser. No. 3. Chicago: Swallow Press. 1972. (\$10.00)
- Dillon, Richard H. *Burnt-out Fires: California's Modoc Indian War*. San Francisco: Prentice-Hall, Inc. February 1973. (\$8.95)
- Faulk, Odie B. *The Leather Jacket Soldier: Spanish Military Equipment and Institutions of the Late 18th Century*. Pasadena: Socio-Technical Publications. 1972. —P.O. Box 4304, Catalina Station, Pasadena 91106 (\$10.00)
- Fay, Rimmion C., et al. *Southern California's Deteriorating Marine Environment*. Claremont: Center for California Public Affairs. 1972. —226 W. Foothill Blvd., Claremont, CA 91711 (\$3.68 incl. tax)
- Folkman, David I., Jr. *The Nicaragua Route*. Salt Lake City: Univ. of Utah Press. 1972. (\$7.50)
- Geiger, Maynard. *California Calligraphy: Identified Autographs of Personages Connected with the Conquest and Development of the Californias*. Ramona: Ballena Press. 1972 —P.O. Box 711, Ramona, CA 92065 (\$4.50)
- Gilliam, Harold. *For Better or for Worse: The Ecology of an Urban Area*. San Francisco: Chronicle Books. 1972. (\$5.95)
- Gould, Helen Weaver. *La Porte Scrapbook*. La Porte: n.p. 1972. —Mrs. T. L. Gould, La Porte Station, Strawberry Valley, CA 95981 (\$3.20)
- Hampden, John. *Francis Drake, Privateer*. University: Univ. of Alabama Press. 1972.
- Hanscom, W. W. *The Archaeology of the Cable Car*. Edited by Walt Wheelock. Pasadena: Socio-Technical Publications. 1972. —P.O. Box 4303, Catalina Station, Pasadena, CA 91106 (\$10.00)
- Hayden, Mike. *Guidebook to the Delta Country of Central California*. Los Angeles: Ward Ritchie Press. March 1973. (\$1.95)
- Heizer, Robert F., and Albert B. Elsasser, eds. *Original Accounts of the Lone Woman of San Nicolas Island*. Reprint from Reports of the U.C. Arch. Survey, No. 55. Ramona: Ballena Press. 1972 —P.O. Box 711, Ramona, CA 92065 (\$2.50)
- Henderson, David A. *Men & Whales at Scammon's Lagoon*. Los Angeles: Dawson's Book Shop. 1972. —535 North Larchmont Blvd., Los Angeles, CA 90017 (\$24.00)
- Hermann, Ruth. *The Paiutes of Pyramid Lake*. n.p. n.d. —Ruth Herman, P.O. Box 202, San Mateo, CA 94401.
- Hicks, John, and Regina Hicks. *Cannery Row: A Pictorial History*. Salinas, Calif.: I & M Enterprises. 1972. —Creative Services, P.O. Box 5162, Carmel, CA 93921.

- Hohenthal Helen, and John E. Caswell. *Streams in a Thirsty Land, A History of the Turlock Region*. Turlock, Calif.: Turlock Centennial Foundation. 1972. —P.O. Box 1694, Turlock, CA 95380 (\$14.50)
- Jostes, Barbara Donohoe, ed. *John Parrott, Consul: Selected Papers of a Western Pioneer*. San Francisco: Lawton & Alfred Kennedy. 1972. —San Mateo County Historical Assn., 1700 West Hillsdale Blvd., San Mateo, CA 94402 (\$65.00 plus tax)
- Junior League of San Jose, Inc., *Discovering Santa Clara Valley: Cultural, Recreational & Historical Tourguide*. San Jose: Junior League of San Jose, Inc. 1973. —P.O. Box 24725, San Jose, CA 95154 (\$2.35)
- Klotz, Esther. *Riverside and the Day the Bank Broke*. Riverside: n.p., n.d. —Esther Klotz, 4624 Olivewood Ave., Riverside, CA 92501 (\$9.40)
- Knox, Maxine. *Exploring Big Sur, Carmel and Monterey*. Los Angeles: Ward Ritchie Press. April 1973. (\$1.95)
- Kroeber, A. L. *Basket Designs of the Mission Indians of California*. Preface by Robert F. Heizer. Ramona, Calif.: Ballena Press. January 1973 —P.O. Box 711, Ramona, CA 92065 (\$3.25, paper)
- Lavender, David. *California: Land of New Beginnings*. San Francisco: Harper & Row. 1972.
- Leadabrand, Russ. *Exploring California Byways, VII—An Historical Sketchbook*. Los Angeles: Ward Ritchie Press. March 1973. (\$1.95, paper)
- . *Exploring California Folklore*. Los Angeles: Ward Ritchie Press. 1972. (\$1.95)
- Lepawsky, Rosalind, and Albert Lepawsky. *Coalition and Coalescence: Berkeley Links Ecology and Ethnicity*. Claremont, Calif.: Center for California Public Affairs. 1972. —226 W. Foothill Blvd., Claremont, CA 91711 (\$1.00, paper)
- Levy, Milton L., ed. *California Agricultural Directory*, 1973; rev. ed. Berkeley: California Service Agency. 1972.—2855 Telegraph Ave., Berkeley, CA 94705 (\$12.50 + tax)
- Linsmeyer, Helen Walker. *From Fingers to Finger Bowls: A Sprightly History of California Cooking*. San Diego: Copley Books. 1972. (\$9.50 plus tax)
- McGloin, John B. *Jesuits by the Golden Gate: The Society of Jesus in San Francisco 1849-1969*. San Francisco: Univ. of San Francisco. January 1973. —John B. McGloin, S.J., Xavier Hall, Univ. of San Francisco, San Francisco, CA 94117 (\$8.50)
- Martin, Jim. *Guidebook to the Feather River Country*. Los Angeles: Ward Ritchie Press. 1972. (\$1.95)
- Meadows, Don. *A California Paisano, The Life of William McPherson*. Claremont, Calif.: Honnold Library Society. 1972.
- Meadows, Lorena Edwards. *A Sagebrush Heritage: The Story of Ben Edwards and His Family*. San Jose: Harlan-Young Press. 1972. —Mrs. Earl Meadows, 7400 Cutting Blvd., El Cerrito, CA 94530 (\$7.50 plus tax)
- Miner, H. Craig. *The St. Louis-San Francisco Transcontinental Railroad: The Thirty-Fifth Parallel Project, 1853-1890*. Lawrence: Univ. of Kansas Press. 1972. (\$8.50)
- Mitchell, Annie R. *Land of the Tules*. Fresno: Valley Publishers. 1972. —1759 Fulton St., Fresno, CA 93721 (\$4.95)
- Mylroie, Gerald R. *California Environmental Law: A Guide*. 3rd ed. Claremont, Calif.: Center for California Public Affairs. March 1973. —226 West Foothill Blvd., Claremont, CA 91711
- Myrick, David F. *San Francisco's Telegraph Hill*. Berkeley: Howell-North Books. 1972. (\$9.95)
- Nailen, R. L. *Guardians of the Garden City: The History of Service of the San Jose Fire Department*. San Jose: Smith & McKay Printing Co. 1972. —180 West St. James St., San Jose, CA 95110. (\$9.95 paper; \$13.50 hardbound)



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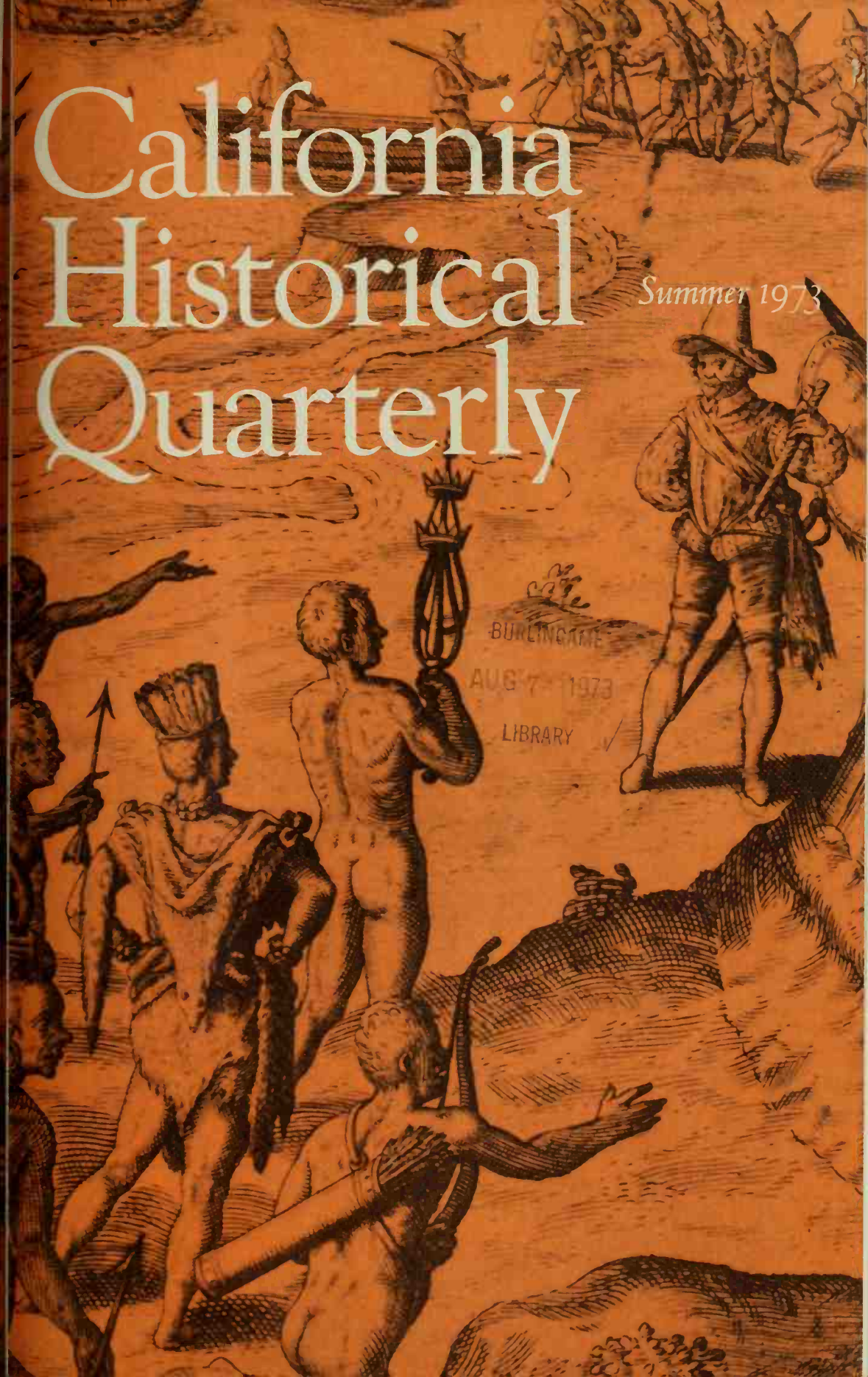


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# California Historical Quarterly

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FRONT COVER: In 1579, English Captain Francis Drake anchored his leaking vessel in "a beautiful and most charming bay"<sup>1</sup> in what is now California. He named the newly discovered land Nova Albion and claimed it for Queen Elizabeth. Here he is depicted in a 1599 drawing, by engraver Theodore de Bry of Frankfurt, as he received a crown from the king of Nova Albion. The king is shown with his honor guard, one of whom has brought two crowns of black feathers and a wooden scepter bedecked with clam shell beads as royal presents for the white visitor, who the Coast Miwoks thought might be a god. In the background, the drawing also shows Drake's original landing of June 21.

INSIDE COVER: The native dwellings are pictured as cone-shaped structures, formed of slabs of redwood bark set on end around a circular dugout.

Attesting to the accuracy of de Bry's illustrations, such as appeared in *Americae, Pars VIII* (Frankfurt, 1599), is his career as an engraver who usually worked from authentic illustrations made by travelers and colonists. In 1587-88 he engraved plates with the mapmaker Jodocus Hondius on the *Mariners Mirror*, and, at the urging of Richard Hakluyt in 1590, he published as *Americae, Pars I*, engravings made from the great John White watercolors of Virginia. Drake's stay in California has been fully authenticated—but the site of his anchorage has baffled historians for generations. For a forceful presentation of one side of this controversy, turn to the article by Robert H. Power, page 100.

1. A. E. Gordon, trans., Theodore de Bry, *Americae, Pars VIII*, quoted in Drake Navigators Guild, *Identification of Sir Francis Drake's Encampment At Point Reyes National Seashore*, 143 (Point Reyes, 1970).

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VOLUME LII • SUMMER 1973 • NO. 2

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An engraved portrait of Francis Drake was published with the signature "Iodocus Hondius, Flander fecit Londini." The miniature hemispheres are reduced from his famous *Expeditionis Nauticae*, reproduced on pages 112-13. These small hemispheres show Drake reaching 48° north latitude, while the present-known copies of the large map have been corrected to 43° north latitude. This signed print establishes that the *Expeditionis Nauticae* was first issued in London (circa 1589).

Robert H. Power

*Drake scholar and author of several  
articles on the controversial site  
of Drake's landing.*

## Drake's Landing in California: A Case for San Francisco Bay

IN THE SUMMER OF 1579 an English navigator, Captain Francis Drake of the *Golden Hinde*, landed somewhere on the coast of California and named the region *Nova Albion*—New England—six years before the founding of the Roanoke Colony in Virginia on the eastern seaboard.

As the 400th anniversary of this significant visit approaches, scholars are re-evaluating the importance of this mission. One of the most long-lasting and intriguing of the puzzles left behind by Drake is the simple question of where he made port and stayed the month that he and his crew remained here. Original records—log, maps, narratives—are non-existent, except for the Plate of Brass found in California in 1936. Determination of his landing site has stimulated scholars for three centuries to examine every scrap of evidence and to deduce the point of debarkation by pyramiding data.

For decades, the landing site has been popularly assumed to be Drakes Bay in Marin County, north of San Francisco. In fact, the state elementary textbooks have favored this hypothesis almost exclusively, and all fourth-graders are taught that Drake did indeed stop off at the bay that now bears his name. However, the evidence supporting this position, though voluminous, is by no means absolute.

From time to time, other ports have been proposed as alternatives to Drakes Bay, but none can match San Francisco Bay as the principal challenger. The arguments for this site have been set forth in the *Quarterly before* (XXXVI:1 and XLI:3), the last time ten years ago, and now the case is reopened by an assiduous champion of the Bay site, Mr. Robert H. Power, a specialist on the Drake expedition, who has been given editorial assistance on this article by Donald C. Pike.

For some twenty years, Mr. Power has been gathering information on the Bay site and has summarized his findings in articles and lectures. A draft of the essay that follows was presented before the State Historical Landmarks Advisory Committee, at its meeting of April 27, 1973, in which he proposed that a monument be erected to commemorate the entry of Drake into San Francisco Bay. Although the Committee respectfully postponed a decision on his proposal—on the grounds that further studies and hearings were needed—his carefully documented presentation is well worth bringing to public attention.

*It is a pleasure to share with the readers of the California Historical Quar-*

terly Mr. Power's latest thinking on this controversial topic. Publication of his essay does not reflect an official endorsement on the part of the California Historical Society, however, and space will be reserved in a future issue of the Quarterly for a rejoinder, presented in the form of a debate.

EDITOR



IN DECEMBER, 1577, a fleet of five ships under the command of Captain Francis Drake set sail from Plymouth Sound with a declared destination of Alexandria. The real plan of the voyage which had been formulated in the utmost secrecy was far more ambitious than a wintertime Mediterranean cruise. Queen Elizabeth had given her consent to a bold expedition which would challenge King Phillip's claim that the Pacific Ocean belonged exclusively to the Crown of Spain. The expedition upon entering the Pacific would explore the western shore of America from the Strait of Magellan to the presumed strait of Anian. Beyond the limits of settlement in New Spain in the Northwest corner of North America, the expedition would make a "worthy attempt at discovery" of "very large Forreign Dominions" and search the Strait of Anian for an entrance to the Northwest Passage.<sup>1</sup>

There were capital reasons for absolute secrecy as fundamental as life and death. King Phillip's policy of destruction and death to English ships and seamen found "beyond the line" was ruthlessly enforced. Captain Drake had been a victim of the surprise attack by the Viceroy of New Spain on the English fleet harbored at San Juan de Ulloa, Mexico, in 1568, where three ships, including the Queen's, had been destroyed and three hundred English seamen perished from the engagement and its aftermath. Drake, in two expeditions, took up privateering in the Caribbean to "right this wrong." Now it was to be Drake's opportunity to surprise the Spanish in their prize possession—the Pacific Basin.

The voyage plan was a deliberate English challenge to the Papal Bull which had divided the Indies between Spain and Portugal. John Dee, cosmographer to the Queen, had assured her that no nation had title to the seas of the world and that England had rights to North America by virtue of the discovery of John and Sebastian Cabot in the reign of Henry VII. Drake was an indispensable part of the plan because the English loss at San Juan de Ulloa, according to an English theologian, gave Drake a lawful right to privateer against the Spanish crown until the wrong had been fully avenged. Evidently, the Queen did not disagree. This privilege to plunder with his sovereign's consent made it highly likely that Drake and his backers would be "bountifully rewarded" while searching for "newfoundlandes yet altogether vnknown"<sup>2</sup>—providing Drake could surprise the Spanish and return home alive.

A year and a half after leaving Plymouth, the plan had been successfully followed, and now Drake sought refuge on the coast of California to repair



his storm-battered vessel. In the long voyage, he had navigated the Straits of Magellan off the tip of South America, enduring raging storms in Drakes Passage, successfully captured Spanish treasure ships, and futilely sought the Northwest Passage in "vile, thicke, and stinking fogges" off the Oregon coast. After so many months at sea, Drake was in need of a safe harbor in which to careen his lone-surviving and leaking flagship, the *Golden Hinde*.<sup>3</sup> The northwest wind, he disappointedly recorded in his journal, had "cut off all hope of finding passage through thoes Northern parts . . . [and] the wind commanded . . . [them] to the Southward."<sup>4</sup> Drake's course, after restoration of men and ship, would be "towards the fruitfull and ryche Moluccaes."<sup>5</sup>

On June 17, 1579<sup>6</sup> Drake sailed his *Golden Hinde* into "a faire and good Baye" near 38° north latitude, which he reconnoitered by small boat for three days before settling on a suitable anchorage and encampment site. In the course of the thirty-six days spent in his California harbor, Drake and his sixty-plus crewmen established a fortress, careened the *Golden Hinde*, repaired her leaking bottom, treated with the Indians, made a short excursion to the interior, and observed the land's flora and fauna. In addition, he erected a brass plate commemorating the arrival of the *Golden Hinde* in the harbor of "Nova Albion," as he chose to call it, and took possession of this discovery for Queen Elizabeth of England. On July 23, Drake weighed anchor and departed the bay, making landfall the following day at the Farallon Islands before continuing across the Pacific on his voyage of circumnavigation.

Such are the bare and essential facts of Drake's presence in Nova Albion—with one notable omission. The actual site of his landing and the identity of the bay in which he moored have been disputed for more than three centuries. Although the landing site is popularly identified with Drakes Bay today, in the opinion of this author, the existing cartographic and archaeological evidence, with supportive data drawn from literary and pictorial records of the voyage which survive, point convincingly to the conclusion that the *Golden Hinde* passed through the Golden Gate and anchored near Point San Quentin on the Marin shore of San Francisco Bay.

The strongest link in the evidential chain supporting this claim is a drawing of Drake's port in Nova Albion that appeared as an inset in a world map published a decade after he returned to England. The extraordinary similarity of the port depicted in this detail to the configurations of the northern shoreline of San Francisco Bay was pointed out by this author in 1954 in an article in *Pacific Discovery*.<sup>7</sup> In addition to this inset plan, there exists one authentic artifact attesting to Drake's visit—a plate of brass—which was found in 1936 on a hill overlooking the anchorage indicated on the 1589 plan. Buttressing these concrete indications of a landing in San Francisco Bay are the descriptions of Nova Albion found in written accounts of the voyage, especially *The Famous Voyage of Sir Francis Drake into the South Sea*, and *The World Encompassed by Sir Francis Drake*. These narratives describe a complex of local plant and animal life and an Indian house-type

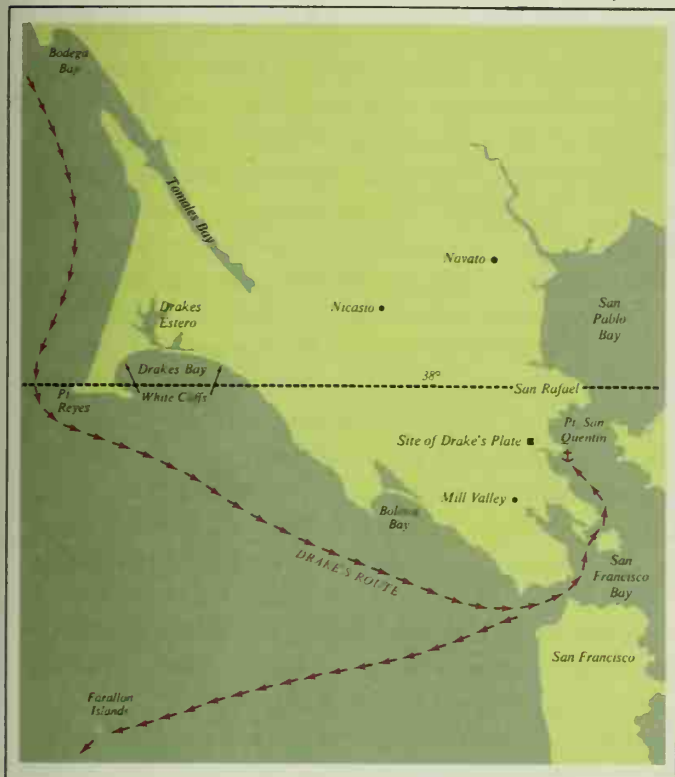
that are characteristic only of the inland region immediately north of the bay. Finally, the time and course of Drake's arrival and departure, including his voyage to the Farallones, are consistent only with an anchorage in San Francisco Bay.

Utilizing all, or part, of the evidence described above, other investigators have sought to place Drake's landing at other bays lying close to the thirty-eighth parallel, including Bodega, Tomales, Drakes, and Bolinas bays. But despite voluminous and energetic efforts—most notably in behalf of a Drakes Bay landing—in no instance has the evidence correlated as strongly, or as thoroughly, as in the case for San Francisco Bay.

The principal key to locating the site of Drake's anchorage is a drawing of his port captioned *Portus Novae Albionis*<sup>8</sup> (Port of Nova Albion) which appeared as an inset in a map of the world entitled *Vera Totius Expeditionis Nauticae*.<sup>9</sup> This famous map was issued in London in 1589 by the noted Flemish cartographer, Jodocus Hondius, to commemorate the voyages of Cavendish and Drake.<sup>10</sup> In compiling his map, it is likely that Hondius drew upon the most authoritative sources available: namely, Drake's official narrative, logbook, and maps of the voyage, presumably sequestered for safe keeping in the Tower of London. Access to this "classified" material would doubtless have been through the Queen's Keeper of Records in the tower, Thomas Talbot, who was associated with Hondius in at least one known venture in 1589. The men had collaborated that year on an engraving depicting the Tudor genealogy, and it seems reasonable to assume that Talbot may well have made available to the cartographer the records of Drake's voyage that the navigator had presented to the Queen upon his return and that had probably been kept in the Queen's secret archives under his custodianship.<sup>11</sup> In the light of this possibility, the map assumes considerable authority as a secondary cartographic source regarding Drake's landing site.

Hondius' *Portus Novae Albionis* plan of Drake's anchorage depicts an island closely paralleling a peninsula, and a sharply defined bay. A cartographic comparison of this plan with the geography of northern San Francisco Bay near Point San Quentin<sup>12</sup> reveals similarities which transcend coincidence. The shape of the island in the *Portus* plan corresponds directly to Belvedere Island, matching it ripple and curve down to the concave shoreline on the peninsular side of its sharp point. Similarly, the *Portus* plan peninsula is matched by present-day Tiburon Peninsula in shape, proportion, and alignment with Belvedere. *Portus Novae Albionis* also depicts an arching shoreline from the base of the peninsula across the upper reaches of the bay just past a small point much like the shoreline from Corte Madera to Point San Pedro.

From this point the *Portus* plan scribes a straight shoreline across what a comparative map shows to be the Straits of San Pablo and continues back down the opposite eastern shore, describing four obvious points of land. On a present-day map these swells of land correspond to Points San Pablo.



This schematic map shows the sequence of Drake's arrival, discovery, and departure from San Francisco Bay, as reconstructed from the evidence amassed by Robert H. Power. Map by John Beyer.

Molate, Castro, and Richmond. The distance between the *Portus* peninsula and the opposite shore is proportionally similar to the distance between Tiburon and Point Richmond.

Within the scope of this physical comparison, three apparent inconsistencies require explanation: *Portus Novae Albionis'* omission of Point San Quentin and of Angel Island, and the abrupt shoreline which takes the place of the Straits of San Pablo. These apparent errors may be explained by one not unlikely assumption, however: that the original plan was sketched from the *Golden Hinde* between June 17 and 21 while the ship lay at anchor in the lee of Angel Island. From this anchorage, often used by early navigators, the small point of San Quentin is reduced to insignificance by the intervening steep slopes of Tiburon and a distance of 5.5 nautical miles. Similarly, Point San Pedro is 7 nautical miles away, and the apparent horizon from the forty-two-foot crow's nest would be 8.2 nautical miles—or just beyond the Straits of San Pablo. Thus the representation of a non-existent shoreline just beyond the points corresponding to Points San Pedro and San Pablo would seem correct to a ship-bound artist. From this location, too, Angel Island would lie behind the artist and therefore would be omitted. It is worthy of note that in the inset drawing in the opposite corner, the artist's depiction of another port on Drake's route (Java), likewise showed only what he could have seen in an 180° arc from shipboard. This port is on an estuary and the artist's back was to a shoreline opposite from the one shown in the drawing.





Orig. size: 6.7 x 3.7 cm. Power Collection

The "Nova Albion Rex," patterned after de Bry, is one of four decorative panels of ports and people found in the New World map engraved by Jodocus Hondius II, *America Novite Delineata* (Amsterdam, ca. 1623). This became one of the most famous maps published in the 17th century, making the "King of Nova Albion" one of the celebrated personages in the New World.

In this instance, he also omitted what lay behind him. The minor islands in San Francisco Bay such as Red Rock and the Marin Islands are too small to mark on the inset, being no larger by scale to the other features than a pin head. The minor islands in the Mollucae inset on the Hondius map are similarly not depicted.

Although the *Portus Novae Albionis* plan is not strictly a map, but, rather, a cartographic view, the instances

of similarity between the geography of the north bay and the representation of the *Portus* plan are too numerous to ignore. At the same time, the *Portus Novae Albionis* does not reflect, in any real measure, the geography of the other sites proposed as Drake's anchorage in Nova Albion.<sup>13</sup>

Probably the most dramatic piece of evidence in the Drake's landing site controversy involves the Plate of Brass, a plaque which the explorer erected to commemorate his presence in Nova Albion and claim the land for England. In *The World Encompassed* the circumstances of the plate's erection are described:

Before we went from thence, our generall caused to be set vp, a monument of our being there; as also of her maiesties, and successors right and title to that kingdome, namely, a plate of brasse, fast nailed to a great and firme post; whereon is engraven her graces name, and the day and yeare of our arriual there, and of the free giving vp, of the prouince and kingdome, both by the king and people, into her maiesties hands; together with her highness picture, and armes in a piece of sixpence currant English monie, shewing it selfe by a hole made of purpose through the plate: vnderneath was likewise engrauen the name of our generall, &c.<sup>14</sup>

The plaque's whereabouts remained unknown until 1936 when it was discovered on a Greenbrae ridge overlooking the south face of Point San Quentin by a young man who climbed a hill looking for a place to relax after changing a flat tire.<sup>15</sup> Chiseled into the plate was the following text:

BEE IT KNOWNE VNTO ALL MEN BY THESE PRESENTS IVNE, 17, 1579. BY THE GRACE OF GOD AND IN THE NAME OF HERR MAJESTY QVEEN ELIZABETH OF ENGLAND AND HERR SVCESSORS FOREVER I TAKE POSSESSION OF THIS KIN DOME WHOSE KIND AND PEOPLE FREELY RESIGNE THEIR RIGHT AND TITLE IN THE WHOLE LAND VNTO HERR MAJESTIES KEEPEING NOW NAMED BY ME AN TO BE KNOWNE VNTO ALL MEN AS NOVA ALBION. FRANCIS DRAKE.<sup>16</sup>

This plate, the only physical evidence of Drake's presence in California, has

been proven authentic by metallurgical and historical tests,<sup>17</sup> including the discovery of mineralized plant cells in the area of the "sixpence" hole.

Of relevance here is the fact that the Plate of Brass was discovered in an area which correlates with the site of Drake's fort as located in the *Portus Novae Albionis* plan. The Plate of Brass site, then, would seem to fit the pattern of evidence initiated by the *Portus* plan. It has been alleged that the Plate of Brass was originally found in 1933 near Drakes Bay on the coast by a William Caldiera and subsequently discarded as worthless in the vicinity of the Shinn discovery.<sup>18</sup> This claim is questionable, however, considering that there is conflicting testimony over where Caldiera tossed his piece of metal, that the closest possible point of discard was over one-half mile from the Shinn discovery site, and that Shinn did not find the plate lying on the ground but, instead, pulled the Plate of Brass free from the ground after moving a rock.<sup>19</sup> Although there can be no guarantee that Drake's marker was not moved over the centuries by man, either Indian or white, there is strong likelihood that the Plate of Brass was found at, or near the site where Drake originally erected it.

Questions about Drake's thirty-six-day encampment in Nova Albion could surely be resolved by an examination of the original journal of his voyage, but the manuscript unfortunately has been lost, the apparent casualty of Elizabethan diplomacy. Drake's voyage had infuriated Don Bernardin Mendoza, Spain's ambassador to England, and Elizabeth diplomatically decided the less written about Drake, the better. Even after Mendoza's ignominious departure from England in 1583, this policy of silence remained in effect until after the defeat of the Armada in the summer of 1588.

Accordingly, Drake's huge hoard of silver bullion, captured north of Peru, was secured in the Tower of London, and the Queen most likely placed the log, journals, maps, and illustrations in her secret personal archives, also in the tower. The records then disappeared, and whether they were lost or destroyed by chance or decision, history does not record. In the absence of primary documents, historians concerned with the Drake voyage have had to rely on two closely related, though maddeningly imprecise, secondary narratives of the voyage written long after Drake's return to England.

The earliest published account appeared in 1589 as an insert in Richard Hakluyt's *The Famous Voyage of Sir Francis Drake into the South Sea*.<sup>20</sup> The second account to appear in print, entitled *The World Encompassed by Sir Francis Drake*, was apparently written a few years after Drake's return to England but it was not published until 1628, thirty-nine years after the Richard Hakluyt version. For information on the visit in Nova Albion both accounts relied heavily on the narrative of Francis Fletcher, preacher of the *Hinde*, the pertinent part of whose manuscript has never been located.

Because of this common heritage, *The World Encompassed* and *The Famous Voyage* offer a collaborative, if somewhat repetitive, portrait of Nova

Albion. Both give frustratingly limited descriptions of the bay. The discussions of the Indians are an anthropological gold mine, however, and on the basis of the Indian words remembered by the crew, two scholars, Robert F. Heizer and William Elmendorff, have been able to identify the tribes as Coast Miwoks. However, this authoritative study, published in 1942<sup>21</sup>, proves only that Drake landed somewhere in the region of present Marin or southern Sonoma counties.

Although the narratives on the voyage are vague on some points crucial to identification of the moorage site, both (especially *The World Encompassed*) nevertheless contain descriptions of local flora and fauna that substantiate and complement the conclusion indicated by the geographic similarities between the *Portus Novae Albionis* plan and northern San Francisco Bay.

According to these accounts, shortly before Drake's departure from Nova Albion at the end of July, 1579, he took a small company of men on an excursion inland "to be better acquainted with the nature and commodities of the country." As reported in *The World Encompassed*, the party found the inland to be

"farre different from the Shoare, a goodly country, and fruitfull soyle, stored with many blessings fit for the vse of man: infinite was the company of very large and fat Deere which we sawe by thousands, as we supposed, in a heard; besides a multitude of a strange kinde of Conies, by farr exceeding them in number: their heads and bodies, in which they resemble other Conies, are but small; his tayle, like the tayle of a Rat, exceedingly long; and his feet like the paws of a Want or moale; vnder his chinne, on either side, he hath a bagge, into which he gathereth his meate, when he hath filled his belly abroad, that he may with it, either feed his young, or feed himselfe when he lests not to trauaile from his burrough; the people eate their bodies, and make great account of their skinnnes, for their kings holidiaes coate was made of them."<sup>22</sup>

*The Famous Voyage*, while offering a briefer discourse, compares the animals to "Barbarie Conies."<sup>23</sup>

The textual description of the "strange kinde of Conies" strongly suggests the present-day California ground squirrel (*Citellus beecheyi*), with its distinct storing of food in pouches which enlarge when full and its habitual ranging for food. To the men of Drake's party, this small creature which sought both food and shelter on the ground would seem unlike the tree-climbing squirrels of their native England, and, hence, they could compare it to the Barbary cony which they had encountered in their travels and which also found protection and livelihood on the ground. The California Academy of Sciences (quite apart from any consideration of Drake) has likewise singled out the Barbary cony and the California ground squirrel as exemplar of the parallel development of distantly-related mammals living in similar, though geographically dispersed, environments.<sup>24</sup> California ground squirrels, it must be noted, inhabit the warm hillside and valleys around San Francisco Bay, but not the immediate ocean coast such as that near Drakes Bay.



The "very large and fat Deere" Drake reported to be grazing "by thousands" were undoubtedly tule elk which were common to all of Marin County. The observed existence of large numbers of elk becomes crucial to identification of the "Conies" as ground squirrels. According to Dr. Starker Leopold of the University of California, in a statement made to this author in conference, "a multitude" or "thousands" of ground squirrels was not an expected phenomenon in pre-Hispanic California. A university study explains that these little mammals only multiply to epidemic numbers in areas where farming or over-grazing has destroyed the land's grass cover. Dr. Leopold observed, however, that the reported large herds of tule elk in the valleys north of San Rafael could have over-grazed and broken the turf with their hoofs, thereby permitting great numbers of ground squirrels to cohabit the area, in the same way that bison herds made possible large population concentrations of prairie dogs. Since ground squirrels do not inhabit the immediate Pacific coast, the ecological phenomenon of the coexisting ground squirrels and elk—which Preacher Fletcher recorded for posterity—not only supports a San Francisco Bay landing, but seemingly eliminates the possibility that Drake explored the western portion of Marin County inland from Drakes Bay.

Partisans of a landing at Drakes Bay have argued that the "Conie" described in *The World Encompassed* and *The Famous Voyage* was the Botta pocket gopher,<sup>25</sup> which is common both to coastal and inland regions. The shortcomings of this analysis are threefold. The Botta pocket gopher is a shy, predominately nocturnal creature which remains in its burrow much of the time. This characteristic would make it unlikely that observers would see even one, much less "a multitude" or "thousands" of the creatures. Secondly, the gopher is as common on the ocean shore as it is "up in the countrey," a factor which violates the text's implication that the "Conies" inhabited a different life zone from the one in which Drake careened the *Golden Hinde*. Thirdly, the gopher does not have a tail "exceedingly long" which was part of the description given of the Nova Albion cony.

Textual observations on plant life, as well as animal life, support a San Francisco Bay anchorage site. In *The World Encompassed*, for instance, the narrator remarks "how vnhandsome and deformed appeared the face of the earth it selfe! shewing trees without leaues, and the ground without greenes in those moneths of Iune and Iuly."<sup>26</sup> This description usually applies to the San Pablo shore by late July, when the grass has already turned brown and the buckeye trees are beginning to turn yellow and lose their leaves. It does not describe the summertime appearance of the land to the west of the slopes facing San Francisco and San Pablo bays.

At another point in *The World Encompassed* narrative, mention is made of a ceremonial headpiece worn by the Indians that was "couered ouer with a certaine downe, which groweth vp in the countrey vpon an herbe much like our lectuce; which exceeds any other downe in the world for finenesse."<sup>27</sup>



## Drake's Mission

Francis Drake set out to solve one of the unanswered geographical riddles of his age: Was America sufficiently separated from Asia and the Arctic lands to allow ships to pass to and fro between the Atlantic and Pacific oceans?

The presumed strait between America and Asia, named the Strait of Anian, was popularized by a 1566 map of North America by Bolognino Zaltieri, of which the map above is a close copy. However, Zaltieri's depiction of such a narrow passage was criticized, principally by Richard Willes in an essay especially imprinted for Drake under the patronage of the Earl of Bedford (Drake's godfather). In part, he wrote of this map:

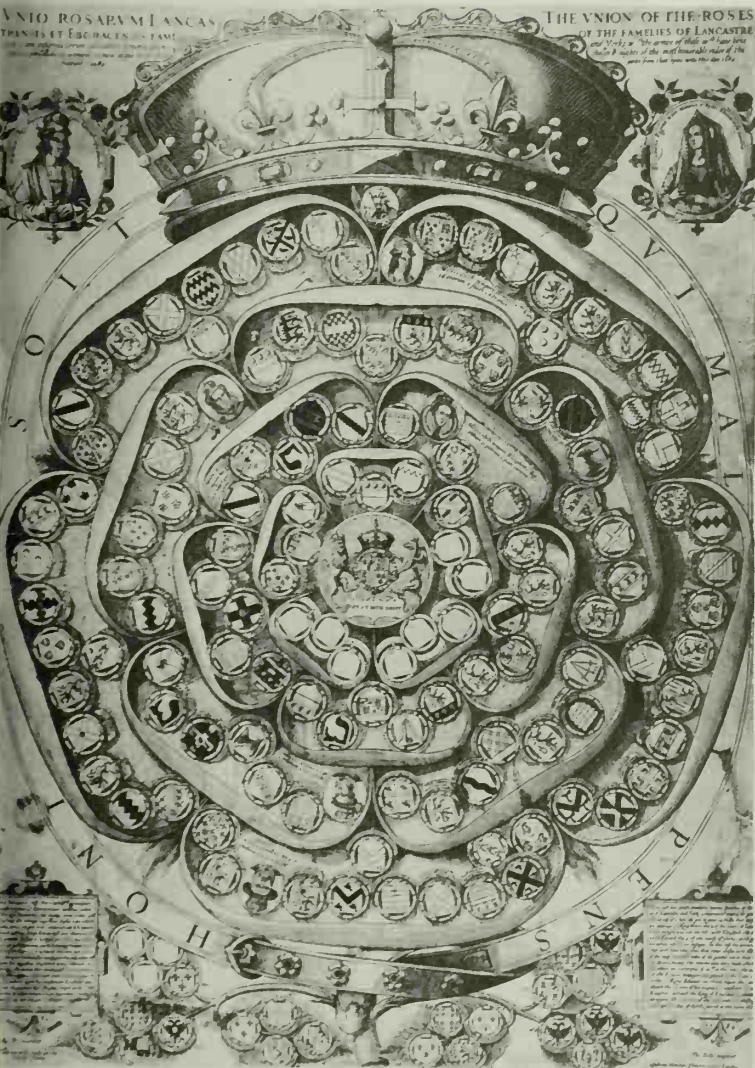
I say in Anian Gulfe, if it were so narrow as Don Diego and Zalterius have paynted it out, any returne that way to be ful of difficulties, in respect of much streictnes thereof.

The dangers implicit in this map coupled with the warning by Willis may have contributed to a decision by Drake to abandon the quest for the Strait of Anian and the Northwest Passage beyond and to return instead to England by seeking Magellan's route around the world.

Although Drake abandoned his search for the Northwest Passage, he did discover a "very large Forrein Dominion" on the Northwest coast of America which he named Nova Albion.



This portrait of "Elizabeth Reg." (right) is a detail from the elaborate visual genealogy known as the "Talbot Rose" of 1589 (below) which depicted the likenesses and arms of the families of Lancaster and York. Executors of the intricate engraving were "Tho[mas] Talb[ot] composuit" and "Jodocus Hondius Flander Sculps." (see signatures right). Talbot was the Keeper of the Records in the Tower of London in 1589 and through the engraving is known to have been a close associate of Hondius.



OVERLEAF: The *Vera Totius Expeditionis Nauticae* map of the world by cartographer Jodocus Hondius [London, 1589] contains in its upper lefthand corner a plan of the *Portus Nova Albionis* which this author believes is the first published map of the San Francisco Bay, Belvedere Island, Tiburon, San Rafael, and Richmond areas.



Descriptio D. Franc. Draci qui 5. navibus probe instructis, ex Anglia solvens, ceteris partim flammis, partim fluctibus correptis, in Angliam redijt 27 Sept. Angli, qui eundem Draci cursum ferè tenuit etiam ex Anglia per universum quinto Septembris 1588. in patrie portum Plimouth, unde prius



Non immerito, ante hostes, formam navis & Drac-  
hæ nostræ tabulæ adjungi pulcherrimæ mirantibus con-  
tuleri potest, non solum hujus magnitudinis, non fid-  
æ se totorum fovei, in sepulchro illis, omnia præpar-  
ata esse & argenti illi, postea tantum illis perferri, sed  
ad minimum hæc militarium Germanorum.



# IONIS NAVTICÆ

rum orbis ambitum circumnavigans, unica tantum navi, ingenti cum gloria,  
DITA est etiam viva delineatio navigationis Thome Caundish nobilis  
et temporis spacio: vigesimo primo enim iulij 1586 navem consendit, et decimo  
cum omnium admiratione reversus est.

Iudocus Hondius.

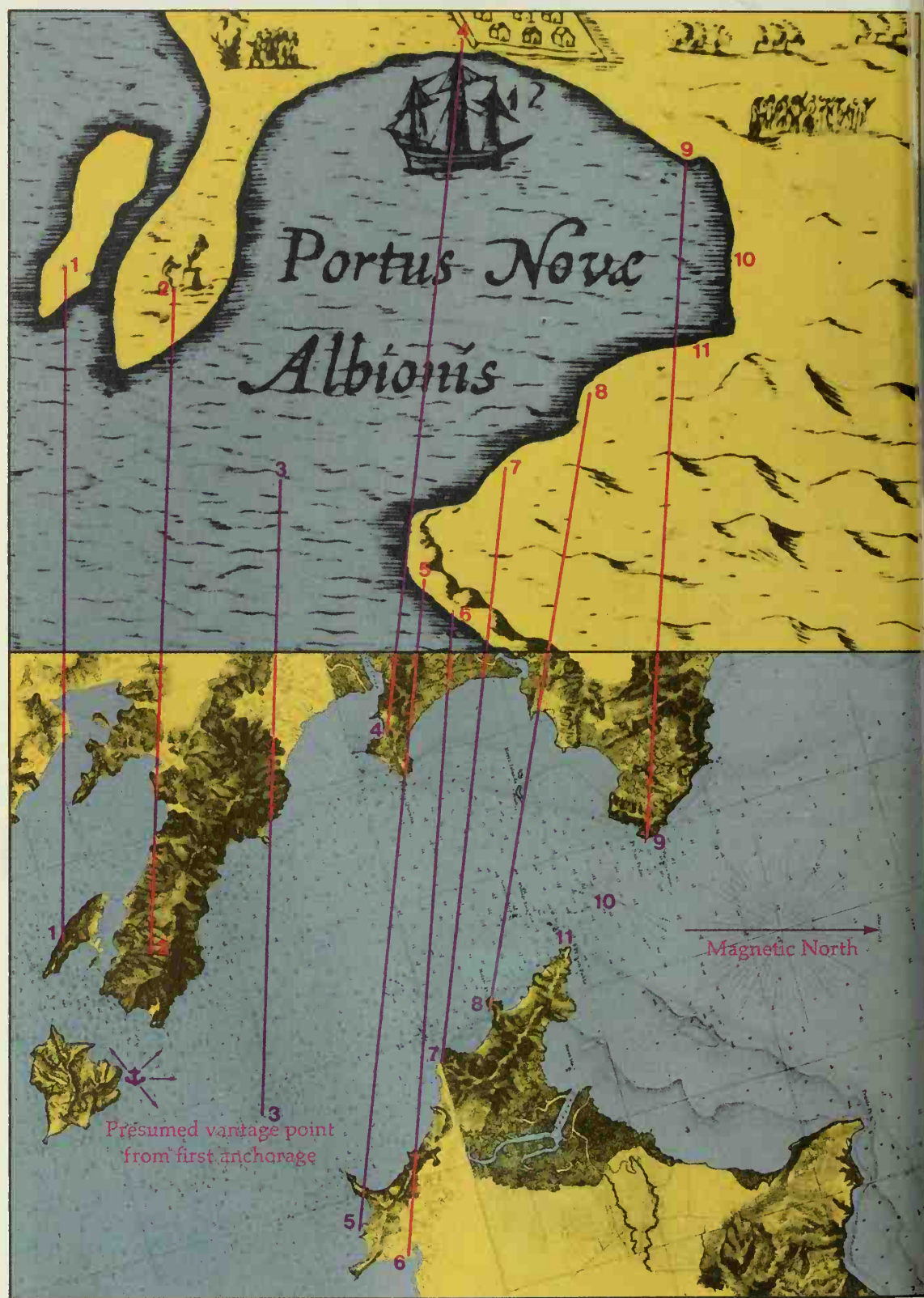


In hac tabula monstrantur fortè aliqui, non nulli  
terre faciem reliquosque quoniam non sibi innotuit  
fluminis peragitatione: Et Dux C. Thom. Caundish  
designavit, subditur super navi interitum loca desin-  
tere, nec possunt etiam accuratè interius notari  
nec ostendi, spacia, namque interius notari  
nec ostendi, spacia, namque interius notari  
nec ostendi, spacia, namque interius notari





ELEVEN POINTS OF COMPARISON  
BETWEEN 1589 HONDIUS PLAN OF PORTUS NOVAE ALBIONIS  
AND NORTHERN SAN FRANCISCO BAY



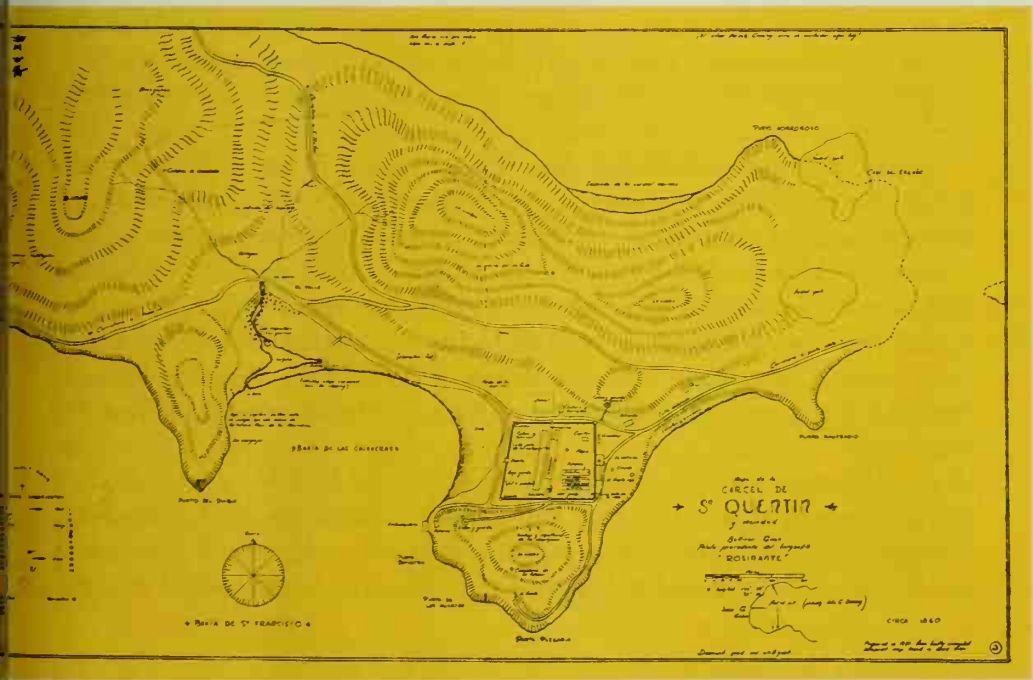


# The Cartographic Evidence

The principal cartographic evidence linking Drake to San Francisco Bay is the *Portus Novae Albionis*, an insert view which appeared in the top left corner of Jodocus Hondius' *Expeditionis Nauticae* map of the world in 1589 (shown on the previous two pages). The Portus Plan is reproduced at the left in comparison with an 1856 U.S. Geological Survey map of northern San Francisco Bay. As this comparison shows, the similarities between the two maps are remarkable, ruling out any reasonable possibility of coincidence.

Portus Island	1. Belvedere Island
High Point of Portus Peninsula	2. Ridge line of Tiburon Peninsula
Center Point in Portus between Portus Peninsula and bluffs opposite	3. Center Point in Bay between Tiburon Peninsula and Point Richmond
Drake carenage site	4. Carenage site used for whaling vessels in early days
Point and Bluffs	5. Bluffs of Point Richmond
Return of shore	6. Return of Richmond shore toward Albany
Point	7. Molate Point
Point	8. Castro Point
Point	9. Point San Pedro
Presumed horizontal line	10. Strait of San Pablo
Point	11. Point San Pablo

Further cartographic evidence is supplied by the map reproduced below, a view drawn by a Mexican sea captain in about 1860. The map shows detail of the old anchorage at Point San Quentin. It is particularly interesting for its depiction of an old Indian village not far from where "whaling ships careened"—a camp roughly three-quarters of a mile from a probable fort, which is the distance reported in the *World Encompassed* for the nearest Indian village.



Though hardly an exhaustive description, the reference to down strongly suggests that the plant was American milkweed. This weed exudes a white milk-like sap from the stem when broken, in much the same manner as lettuce and produces a supremely fine down during late July in the warm valleys north of San Rafael. Or at least it did, until dairy ranchers exterminated the plant as a danger to livestock.



Several other descriptive passages from the narrative have been used by some scholars to argue that San Francisco Bay could not have been Drake's anchorage. Careful examination and interpretation of these excerpts concerning geography and weather, however, reveal that they do not conflict with the evidence for a bay landing already presented.

In *The Famous Voyage* it is stated that

our generall called this Countrey *Nova Albion*, and that for two causes: the one in respect of the white bankes and cliffes, which lie toward the sea: and the other, because it might have some affinitie with our Countrey in name, which sometime was so called.<sup>28</sup>

In this two-part explanation for the naming of the port, the first reason has an important bearing on the case for a San Francisco Bay moorage. The "white banks and cliffes" are unquestionably those of Point Reyes, and the textual association of the cliffs is "toward the sea," in other words, not in the port itself. Admittedly, an anchorage at Drakes Estero would meet these criteria since it would lie just north of the white cliffs. On the other hand, in no sense does this disqualify San Francisco Bay as a moorage site, for no one can dispute the fact that the white cliffs do indeed lie "toward the sea" from San Francisco Bay. Parenthetically, it would seem that if the party had actually stayed in Drakes Estero that the phrasing in the narrative would more properly have referred to the cliffs being "within the bay," or "near our anchorage."

The phrase "toward the sea" does disqualify at least one previously proposed anchorage site. In 1890, the geographer George Davidson concluded that the moorage was within the sheltering arm of Point Reyes. At this site, however, the white cliffs would have been east of and fully visible from the anchorage. This geographical fact has contributed to the Drake Navigators Guild's opinion that the only possible anchorage at Drakes Bay was north, i.e., "behind" the white cliffs in Drakes Estero. Thus, the "traditional" Drakes Bay argument has been rejected by most Drake researchers since the mid-1950's.

In addition, the very naming of the port and the land for the white cliffs disqualifies two other ports that have been seriously proposed in the past, Bodega and Tomales bays. Both of these inlets lie north of the white cliffs and would thus not have been seen at all if the party had debarked at either

site. In short, naming the port for the white cliffs could only have been done *after* the ship had sailed past them.

Proponents of a Drakes Bay landing have cited another passage, one which reports a fortnight of limited visibility, in support of their case. The section, this time from *The World Encompassed*, reads: "Neither could we at any time in whole fourteene days together, find the aire so cleare as to be able to take the height of Sunne or starre."<sup>29</sup> While it is true that an extended period of limited visibility in July is typical of the coast and not of the bay region, prolonged spells of overcast are not unknown in the bay area. In fact, weather station records for San Francisco showed a period of fifteen consecutive days of morning overcast as recently as the summer of 1962.

An incidental point may well be made that the "fourteene days" coincides precisely with the fourteen days' voyage (June 3-17) through miserable weather from Oregon south to the Port of Nova Albion. It is not impossible to conceive that this particular stretch of bad weather may have occurred during the time that the party was sailing down the coast.

The text of *The World Encompassed* also includes a long reflective statement about the cold weather of Nova Albion, which is seemingly antagonistic to the San Francisco Bay argument. But upon making the open sea after departure, *The World Encompassed* reports, "the extremity of the cold not only continued but increased . . . the wind blowing still [as it did at first] from the Northwest. . . ."<sup>30</sup> Quite likely, the *Golden Hinde* was reentering the more severe coastal climate after a pause within the relative shelter of the port of Nova Albion.

Further evidence for a San Francisco Bay landing may be found in an illustration depicting the crowning of Drake by the Indians which was executed and published in Amsterdam in 1671 by Arnold Montanus.<sup>31</sup>

The topography in the background of this scene shows a striking similarity to northern San Francisco Bay as viewed from near the site where Beryle Shinn found the Plate of Brass. From the seventeenth-century cavalier costumes on Drake and his men, it might be assumed the entire Montanus illustration was the product of a fertile imagination, and the topographic similarity therefore an amusing coincidence. However, Arnold Montanus was the grandson of the partner and brother-in-law of Jodocus Hondius; his grandmother (Hondius' sister) was an authoress and a favorite of Queen Elizabeth.<sup>32</sup> Montanus, therefore, was the intellectual and physical heir of the man who created the *Portus Novae Albionis* and could very well have had Hondius' notes and sketchbooks from that project. His grandmother, because of her favored position in the Elizabethan court, may very well have seen Drake's official portfolio from the voyage and left other written records which Montanus would have inherited. This dual heritage leads to the impelling speculation that Montanus had a concrete source for his drawing and that the illustration is an accurate depiction of the port of Nova Albion.

*Continued on page 122*

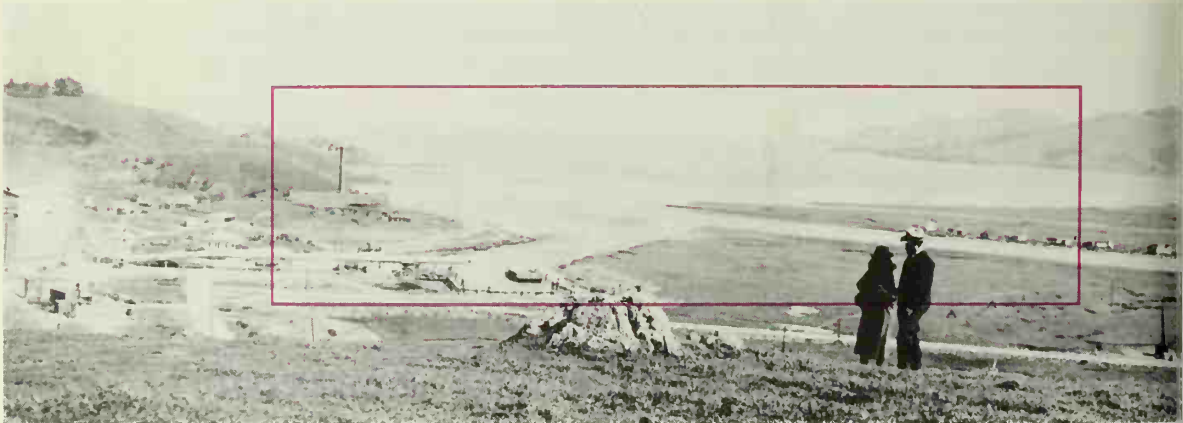




## The Plate of Brass

Before Drake left the bay in which he had anchored, he "caused to be set up," in the words of *The World Encompassed*, "a monument of our being there . . . namely, a plate of brass fast nailed to a great and firme post. . . ." Johan-Theodore de Bry depicted the event in this portion of an engraving (left), published in *America* . . . (1617), of the crowning of Drake by the King of Nova Albion.

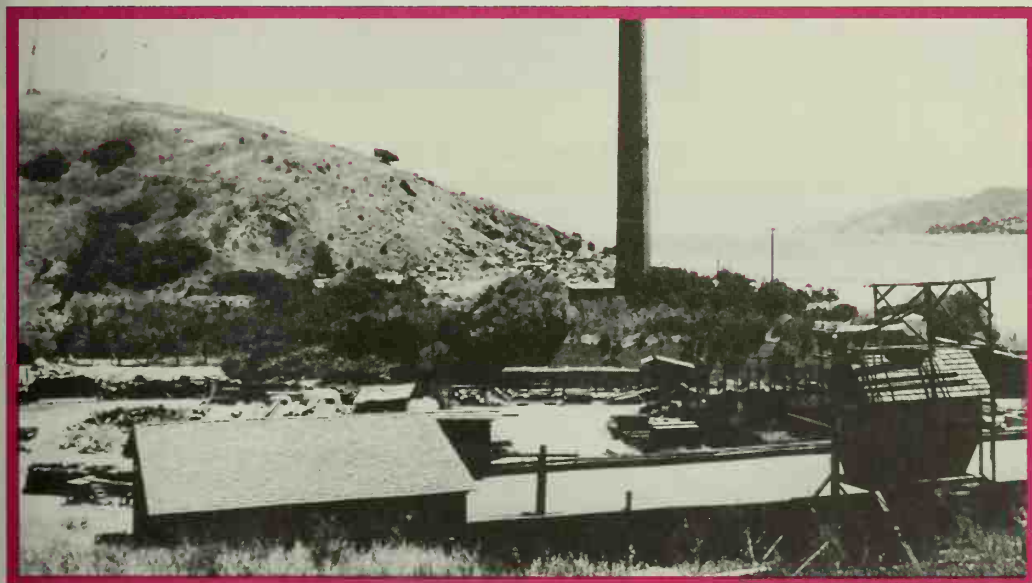
The plate was found 357 years later (1936) on a hillside in Marin County. It is the oldest public document in the English language written in the Western Hemisphere. Mineralized plant cells "embedded in the patina of the coin groove" established the plate as at least a hundred years old when it was discovered.



Beryle Shinn found the long-missing Plate of Brass on a Greenbrae ridge overlooking the south face of Point San Quentin (above). It was half-buried in the ground below the far side of the outcrop of rock in the center of the picture. The outlined area in the photograph corresponds to the close-up shown on the following page.



Robert H. Power Collection



Robert H. Power Collection

The illustration (top), showing Francis Drake being crowned by the California Indians, was published in Amsterdam by Arnold Montanus in 1671. The geographic features in the drawing bear a startling resemblance to those of the Point San Quentin area shown in the photograph immediately above, which was taken from a position about half-way between the spot where the plate was discovered and a safe careenage site off San Quentin Point (left).



## The Evidence of the Countryside

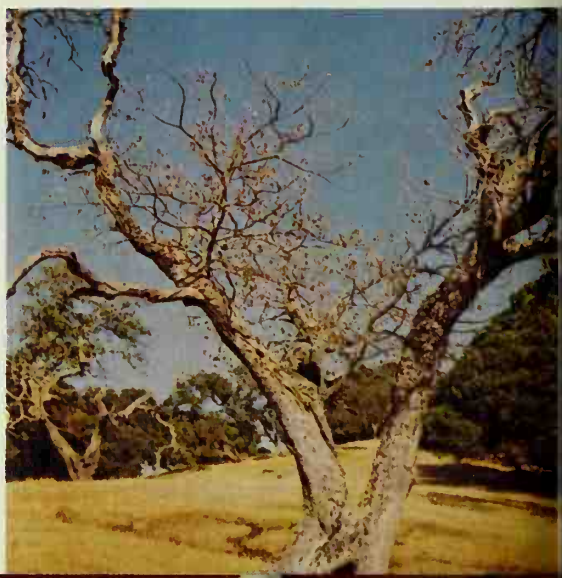
In order to become "better acquainted with the nature and commodities of the country," Drake led a small exploring party into the California countryside before departing his anchorage. What the expedition discovered provides further support for a landing site on northern San Francisco Bay.



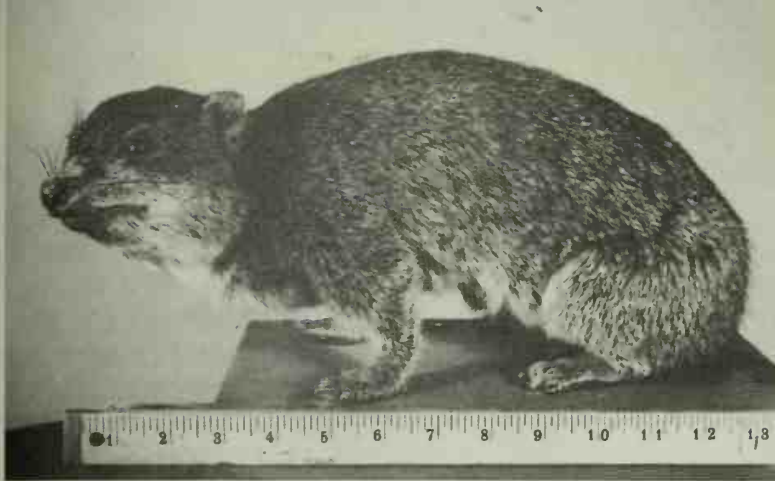
Depiction of native dwellings shows form common to Miwok tribe.



Drake's chronicler noted that the Indians' houses were dug into the earth and covered with slabs of bark, joined together at the top "like the spires on the steeple," a precise description of the Miwok redwood-bark structures found in Marin. There was easy access to redwood trees in what is now Mill Valley and also in the Sierra in historic times, as shown in the photo above. By contrast, the dwellings of the Miwok Indians living on the coast of Marin were described by a near-contemporary of Drake's, Sebastian Cermeño, as "underground habitations resembling caves."







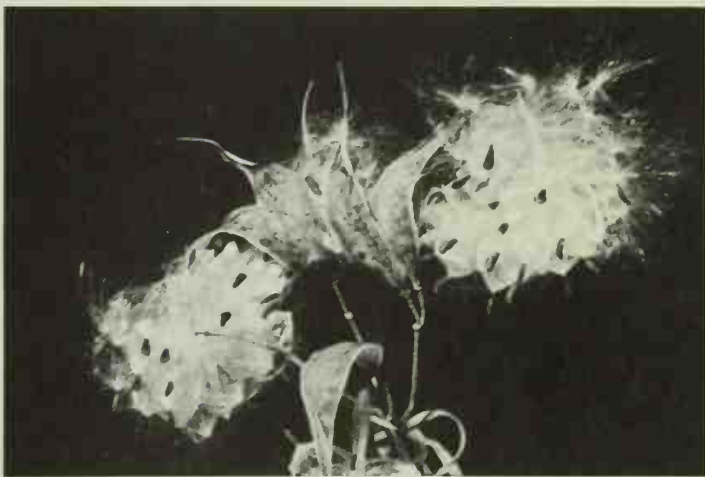
LEFT: "Barbarie Conie" or hyrax.  
BELOW LEFT: California ground squirrel (*citellus beecheyi douglasii*);

California Academy of Sciences



Among the animals noted in *The World Encompassed* were California ground squirrels, very like the "Barbarie Conie," existing with large herds of tule elk, a combination that could only have existed in the valleys north of San Rafael. Continuing, Drake's party encountered "a multitude of a strange kind of Conies . . . their heads and bodies, in which they resemble other Conies, are but small; his tayle, like the tayle of a Rat, exceeding long . . ."

The explorers also spied a "certain downe, which groweth up in the country upon an herb much like our lettuce. . ." which was probably the American milkweed that once grew in the valleys immediately west of San Pablo Bay.



Noted the journal . . . "how unhandsome and deformed appeared the face of the earth it selfe! shewing trees without leaves, and the ground without greennes in those moneths of June and July," an apt description of the early autumn of buckeye trees and summer-browned grass, common in the terrain on the San Pablo Bay shore (near-left photo taken near Novato) but not in the valleys closer to the outer coast of Marin (far-left photo taken near Nicasio). In the hollow at the base of the buckeye tree is the entrance to a ground squirrel burrow. Both photos were taken by the author on the last day of July.

Additional support for this speculation was brought forward recently by Alex Cummings, curator of Drake's ancestral home, Buckland Abbey. Cummings identified the coat of arms on the right side of the banner in the illustration as that of the City of Plymouth, from whose port Drake first sailed. Cummings maintains that this detail must have been taken from actual voyage records, as it is an unlikely display of arms for an artist to have conjured up in the 1670's.

Another point in favor of the San Francisco Bay anchorage revolves around the kind of dwellings occupied by the Indians. The description in *The World Encompassed* is quite specific. The Indian houses were "diggerd around within the earth, and have from the vppermost brimmes of the circle clefts of wood set up and ioyned close togeather at the top, like the spires on the steeple of a church, which being covered with earth, suffer no water to enter, and are very warme, the doore in the most part of them performes the office also of a chimney to let out smoake."

This account accurately describes a typical conical, redwood-bark Miwok house as found in Marin and also in the Sierra in historic times. The illustration of one in Theodore DeBry's *Americae, Pars VIII*, shows mud covering up approximately two feet of a tepee-style dwelling, just as recorded later in ethnological reports on the Miwok published by Powers.<sup>33</sup> More recently, a report entitled *Contributions to the Archaeology of Point Reyes National Seashore: A Compendium in Honor of Adan E. Treganza* (San Francisco State College, 1970, page 78) recorded 1932-33 interviews conducted with Coast Miwok Indians who were familiar with Indian life in the Point Reyes region. The subjects reported that "Four or five men used to get redwood bark to cover a house. Got to go up in hills. Peel off the bark with a sharp stick. Pack it back. *There were just three or four houses like that around here.* [Italics are the author's]. It was better than grass; better than tule."

If such structures were rare in the Point Reyes area in modern times, they were even scarcer in Drake's time, for only sixteen years after Drake sailed away from California, a Spanish captain Sebastian Rodriquez Cermeño, wrecked his vessel in Drakes Bay and remained there for thirty-two days. In his *Declaration* of 1595 (see Henry R. Wagner's *Spanish Voyages*), Cermeño described the houses as "underground habitations . . . resembling caves" and, in a secondary account, as "resembling low caves."<sup>34</sup> This is in total conflict with Drake's account which described the habitations as conical in form.

It is also noteworthy that Cermeño's *Declaration* makes no allowance for the previous presence of Europeans in the area. In his journal, he recorded that the Indians showed "great fright in seeing people they had never seen before."<sup>35</sup>

Another bit of buttressing evidence is found in an old map of Point San Quentin that was discovered at San Quentin Prison.<sup>36</sup> The map, drawn circa 1860 by a Spanish sea captain, shows an Indian village roughly three-quarters of a mile from a presumed location of Drake's careenage site. The existence

of a nearby Indian camp is consistent with statements in *The World Encompassed* which indicate that the nearest encampment was three-quarters of a mile distant.<sup>37</sup>

Far more interesting is the map's notation, at a point which corresponds to Drake's campsite on the Portus plan, that "whaling ships careened here for cleaning." This substantiates that the site of the *Golden Hinde* carenage, indicated by a comparison of northern San Francisco Bay and the Portus plan, was not only plausible, but favorable. Historically, no sailing ship is known to have been careened at Drakes Bay or inside Drakes Estero; in contrast, this map provides hard evidence that ocean-going ships were careened at Point San Quentin.



Additional evidence against a Drakes Bay or Estero landing is textual, found in the description by Richard Hakluyt of the arrival of the *Golden Hinde* in the bay of Nova Albion. Hakluyt's 1600 account states: "It pleased God to send vs into a faire and good Baye, with a good winde to enter the same. . . .

In this Bay wee ankered the seuententh of June. . . ."<sup>38</sup> The passage denotes fast, safe sailing comparable to that which can be experienced while sailing through the Golden Gate. The same sensation is not realizable when entering any other Coast Miwok anchorage.

A good wind would have been pleasing to the Elizabethans only if the entrance to the bay were large and safe. Drakes Bay is the only other anchorage in Coast Miwok territory large enough to make the existence of a strong wind favorable rather than hazardous, but the bay lacks an entrance through which a ship can be sent. It is, in fact, just a portion of the much larger Gulf of the Farallones. This gulf, with the Golden Gate in its center, creates a unique wind eddy which, in the afternoon hours, when there is updraft in the Central Valley, results in a shift of the prevailing wind from northwest to west between Point Reyes and the Golden Gate. This eddy would give a ship sailing into the large and beautiful bay the sensation of being sent by a "pleased God."

In addition, the textual reference to a "good winde" indicates that the visibility on June 17, 1579, was good-to-excellent. In the summer season, strong northwesterly winds and good visibility usually accompany each other, while low fog normally persists when there is relatively calm air. There are virtually no summer storms on the California coast where wind and poor visibility occur at the same time. In this season, visibility of six or more miles occurs 64 per cent of the time, and a good wind would substantially increase these odds. Later explorers like Captain George Vancouver experienced similar sailing conditions rounding Point Reyes: he sighted white cliffs in the morning and anchored safely in San Francisco Bay by evening. (In contrast, Captain Juan Ayala had difficulty bringing the first Spanish vessel through the Golden Gate in 1775 because he came from the south against



prevailing northwesterly winds and, evidently, on a day the Central Valley did not have updraft conditions.) Meteorological conditions, then, indicate a swift sail through the Golden Gate for Drake's ship.

A final point to consider in the determination of Drake's anchorage is the textual description of the *Golden Hinde's* departure from Nova Albion. According to *The World Encompassed*:

the 23. of Iuly they the Indians tooke a sorrowfull farewell of vs. . . . Not farre without this harborough did lye certaine Ilands (we called them the Ilands of Saint Iames) the Farallon Islands, hauing on them plentifull and great store of Seales and birds, with one of which wee fell Iuly 24. . . ."<sup>39</sup>

The *Golden Hinde*, then, weighed anchor on July 23 and did not arrive at the Farallones, only twenty-four miles off the Golden Gate, until July 24. Departure from any bay in Coast Miwok territory other than San Francisco Bay, however, would have allowed Drake to reach the Farallones in one day.

It has been argued that the apparent two-day voyage may be accounted for by a supposed practice of changing the day date at noon rather than midnight. The voyage, therefore, would be only one day long, although the date change at noon would imply an overnight voyage to modern readers.<sup>40</sup> According to Lt. Commander D. W. Waters of the National Maritime Museum in Greenwich, however, "it is correct to assume that the dates July 23 and 24 and 25 . . . from *The World Encompassed*, refer to days whereon 0001 hours occurred one minute after midnight, 12.00 hours at noon, and 24.00 hours at midnight."<sup>41</sup> The claim of a noon date change is spurious, and the *Golden Hinde* did, indeed, make an overnight voyage to the Farallones.

The length of time required for this short voyage, while too long from an anchorage at Drakes Bay or Estero is consistent with a departure from northern San Francisco Bay. Drake would have sailed from his anchorage on an ebbing tide, using the flow of the current for assistance in navigating the Golden Gate. Tide tables for July 23rd (August 2, new date) reveal that high tide at the Golden Gate occurred at approximately 12.30 hours (12:30 P.M.) and low tide was reached at approximately 17.12 hours (5:12 P.M.).<sup>42</sup> Thus Drake, riding the ebbing afternoon tide out of the bay, would have found himself outside the Golden Gate shortly before nightfall. A wait until dawn, with the date change at midnight, before sailing on to the Farallones would account for the two-day trip as described in *The World Encompassed*.

During the 400 years since Drake sailed away from Nova Albion, the actual site of his anchorage has remained an enigma, obscured by the loss of his journals and the dearth of incontrovertible archaeological evidence. The determination by Heizer, *et al.*, that the Indians who met Drake were Coast Miwoks, only limited the hunt to Marin and Sonoma counties. The search was again narrowed by the *Portus Novae Albionis* plan on the Hondius map, which corresponds in detail to the northern end of San Francisco Bay. While

discovery of the Plate of Brass site might have settled the matter, its value as definitive proof has been eroded by lame arguments that the plaque may have been moved—although the site where it was found substantiates the authenticity of the *Portus* plan.

An analysis of descriptions contained in *The World Encompassed* and *The Famous Voyage* and a comparison of inland Marin regions indicate a definite correlation between the area of the *Portus* plan and Point San Quentin. In the case of “conies,” “trees without leaues,” and the “herbe much like our lectuce,” evidence points exclusively to the northern bay region, as do the conical redwood-slab Indian dwellings seen by Drake which are different from the cave-like dwellings seen in the Point Reyes-Olema Valley region by Cermeño sixteen years later. The matter of the “white cliffes” has been found consistent with San Francisco Bay, and while the question of the weather is not strongly supportive, neither does it preclude the bay. The similarity of geography in the Montanus illustration and the evidence regarding the Indian camp and a careenage site suggested by the San Quentin map support the argument. The “goode winde” passage indicates good visibility and that the ship sailed through a safe entrance like the Golden Gate. Finally, the matter of the overnight voyage to the Farallones—explicable only in terms of a journey from inside San Francisco Bay—closes the case for a landing by Drake near Point San Quentin.

#### NOTES

1. John Dee, *General and Rare Memorials Pertayning to the Perfect Art of Navigation* (London, 1577). This knowledge is gleaned from the preface (f.iiiij) and from the unpublished volume 4 in the British Museum. See E. G. R. Taylor, *Tudor Geography 1485-1583*, p. 116 (London, 1930). This work was imprinted in August, 1577, under the patronage of Christopher Hatton, friend and supporter of Francis Drake and Thomas Doughty.

2. Richard Willes and Richard Eden, *The History of Trauayle In the West and East Indies, and other Countreys Lying Eyther Way, Toward the Fruitful and Ryche Moluccaes . . . With a Discourse of the Northwest Passage* (London, 1577), “The Epistle,” folio iii. This work was specially imprinted in July, 1577, for Drake under the patronage of his godfather, the Earl of Bedford.

3. The first edition of *The World Encompassed* states that Drake renamed the *Pellican* the *Golden Hinde*. Subsequent editions dropped the “e” from *Hinde*, but it is likely the first edition reflected the spelling used by the Drake expedition. This is further supported by “Memorandu Hacklyes Voyages of Fletcher,” which is considered to be a direct copy of Francis Fletcher’s original manuscript. Drake renamed his ship the *Golden Hinde* in honor of Christopher Hatton after the trial and execution at Port San Julian of Hatton’s former secretary, Thomas Doughty. The hind decorated the Hatton family’s armorial crest which filled a full page in John Dee’s work noted above.

4. *The World Encompassed by Sir Francis Drake*, 64, 82 (Cleveland: World Publishing Company, 1966. Offset edition of the Huntington Library copy of the first edition [London, 1628]).

5. Willes, *The History of Trauayle*. Quote from title page.
6. Dates given in this paper are old style; for new style, add ten days.
7. This comparison between the *Portus Novae Albionis* and northern San Francisco Bay was first presented in the author's "Portus Novae Albionis Rediscovered?" in *Pacific Discovery*, May-June, 1954.
8. A simple translation from Latin would render this "Port of Nova Albion," although it is possible that "Portus" was selected to identify the anchorage as an inner harbor, or estero. On the first post-Portola map, San Francisco Bay was identified as "Estero de S. Francisco."
9. There are six known copies of the Hondius *Expeditionis Nauticae*: British Museum (1), Royal Geographical Society (2), the Robert H. Power collection (2), and the W. A. Engelbrecht collection, Rotterdam (1).
10. The date is fixed between the return of Cavendish in September, 1588, and the issue of the Michael Mercator Silver Medal of the World in 1589, which showed a partial cartographic indebtedness to the *Expeditionis Nauticae*. See H. P. Kraus, *Sir Francis Drake: A Pictorial Biography*, 157, 218-19 (Amsterdam, 1970).
11. Sidney Colvin, *Early Engraving and Engravers in England, 1547-1695*, (London, 1905).
12. Comparison is based upon U.S. Coast Survey charts of 1856, which antedate the modification of the shoreline by fill.
13. Since 1956, the Drake Navigators Guild has argued that the *Portus* plan represented the entrance sand bars and cove of Drakes Estero. This claim hangs on the supposition that a recently eroded extension of a sand spit, visible at low tide as a sand "island," was originally the island paralleling the peninsula in the *Portus* plan. This sand bar could never parallel the spit, however, as it is an extension of the spit. A sand island parallel to the sand spit at Drakes Estero would be oceanographically impossible.
14. *The World Encompassed*, 80.
15. Walter A. Starr, "Drake Landed in San Francisco Bay: The Testimony of the Plate of Brass," in *California Historical Society Quarterly*, XLI:4 (September, 1962).
16. This singular document is now held in the Bancroft Library, University of California, Berkeley.
17. Colin G. Fink and E. P. Polushkin, *Drake's Plate of Brass Authenticated* (San Francisco, 1938). See also, George P. Hammond, *Sir Francis Drake and the Finding of the Plate of Brass* (Berkeley, n.d.).
18. Raymond Aker, *Report of Findings Relative to the Identification of Sir Francis Drake's Encampment at Point Reyes National Seashore. A Research Report of the Drake Navigators Guild* (Pt. Reyes, 1970).
19. Starr, in *California Historical Society Quarterly*, XLI:4.
20. Richard Hakluyt, *The Principall Navigations, Voiages & Discoveries of the English Nation*, 643 [1] (Cambridge: Hakluyt Society, 1965. Offset edition of the 1589 edition). Six unnumbered leaves were inserted in most copies of the original edition. They were titled "The famous voyage of Sir Francis Drake into the South Sea, and there hence about the whole Globe of the Earth."
21. Robert F. Heizer and William W. Elmendorf, "Francis Drake's California Anchorage in Light of the Indian Language Spoken There," in *Pacific Historical Review*, XI:213-17 (1942).



22. *The World Encompassed*, 80.

23. *The Famous Voyage*, 643[h].

24. The Barbary cony is more closely related to the rhinoceros than it is to any member of the rodent family. It has small hooved feet, no tail, and no oral pouches, but its overall color and body form are very similar to the California ground squirrel. Scientists presume that this look-alike phenomenon is due to environmental adaptation to similar living conditions in rocks and grass land.

25. Drake Navigators Guild, *Identification of the Nova Albion Conie* (Pt. Reyes, n.d.).

26. *The World Encompassed*, 65

27. *Ibid.*, 74

28. *The Famous Voyage*, 643[i].

29. *The World Encompassed*, 64. Weather records are not available for Point San Quentin; but it is of interest that San Francisco weather station records for July and early August of 1962, reported fifteen consecutive days of morning overcast, with only four days having any sunshine until after noon, and only one of these days had sunshine before 11:00 A.M. (The height of the sun was customarily taken at noon, and the stars at midnight.) The 1962 "100-year record" virtually matched the statement in *The World Encompassed*, but it is still "atypical" for San Francisco Bay.

30. *Ibid.*, 82

31. Arnoldus Montanus, *De Nieuwe en Onbekonde Weereld: of Beschryving van Americo en 1 + Zuid-Land . . .*, 213 (Amsterdam, 1671).

32. "Question: The relationship between Arnold Montanus and Petrus Montanus," MS, 14 pp. and genealogy chart (Amsterdam, 1957). Prepared for Robert H. Power.

33. Stephen Powers, *Contributions to North American Ethnology, Vol. III, Tribes of California*, fig. 37 facing p. 366 (Washington, D.C., 1877).

34. Quoted in Henry R. Wagner, *Spanish Voyages to the Northwest Coast of America in the Sixteenth Century*, 158 (San Francisco, 1929).

35. Quoted in Wagner, *Spanish Voyages*, 165.

36. Mapa de la Carcel de S.<sup>a</sup> Quentin y Vecindad by Bullivar Gran, Piloto precedente del bergantin "Rosinante" [circa 1860]. "Prepared in 1951 from badly crumpled blueprint map found in dead files" at San Quentin Prison. In 1954, this manuscript copy of an old map of the San Quentin prison area was in the associate warden's office. Point San Quentin had the best anchorage cove on San Francisco Bay north of Tiburon. It was selected as an anchorage by Captain Sutter, whaling captains, and finally by the state contract prisonship which took refuge there in the early 1850's. This fine historic harbor was filled with the dirt from "prison hill" when the main cell blocks were built in the last century.

37. *The World Encompassed*, 70.

38. Richard Hakluyt, *Voyages, Navigations, Trafiques, and Discoveries of the English Nation*, vol. 3, p. 440 (London, 1600). This version of *The Famous Voyage* was the first to mention the arrival date of June 17.

39. *The World Encompassed*, 81-2.

40. Aker, *Report*, 328.

41. Letter to the author from Lt. Cmdr. D. W. Waters, July 13, 1960.

42. Tide table for Drakes Bay, July and August 1579, in the files of the Drakes Navigators Guild, Pt. Reyes, California; corrected for the Golden Gate by the addition of 1.05 hours for high tide, and 0.37 hours for low tide, as per "Tidal Differences and Other Constants, *Tide and Current Table*, San Francisco Bay, 1973.

LARGE INITIALS in the text are reproduced from Richard Willes and Richard Eden, *The History of Trauayle . . .* (London, 1577).

## The Historiography of the Drake Controversy

DONALD G. PIKE, *historian who has written extensively on the West*

THE LOCATION OF SIR FRANCIS DRAKE'S ANCHORAGE SITE in California in 1579 has been a carbuncle on the corpus of California history for nearly two centuries—painful to contemplate and impossible to ignore. The individual who seeks an answer by turning to the modern general histories of the state finds either ambivalence or the kind of certainty that leaps from ignorance: John W. Caughey in *California* (1953) is skeptical of all the evidence and finally opts for the least likely choice, Trinidad Head; Andrew F. Rolle in *California: A History* (1969) concludes that the site might be Drakes Bay or Bodega Bay, but probably not San Francisco Bay; Ralph J. Roske in *Everyman's Eden* (1968) states firmly that the landing might have been anywhere on the northern coast of the state; and others, better left unnamed, have chosen at random and presented their selections as undisputed fact.

If the interested reader pursues the question to more specialized books and articles, he finds a cauldron of historical controversy that has been percolating and growing since the beginning of the nineteenth century. The yeast of the brew is the dearth of hard evidence available: narratives that are vague or open to interpretation on some crucial points; a plate of brass that *may* have been moved a long or short distance, or, even, not at all; and a tiny map that has been twisted and turned to represent every inlet on the coast from Half Moon Bay into Oregon. Most historians who have cast their opinions into the kettle have served to stir, rather than settle, the ferment.

The various determinations of the anchorage site have been based on evidence found in *The World Encompassed*, *The Famous Voyage of Sir Francis Drake*, and the map of Drake's anchorage on the border of the Hondius map of the world, *Vera Totius Expeditionis Nauticae* (1589). Data from the narratives include reference to "white cliffes" (evoking memories in Drake of Sussex, and hence the name *Nova Albion*), mention of a "strange kind of conie" and an "herbe much like our lettuce," descriptions of the Indians, and reference, in passing, to the landscape and weather. Finally, during the last three decades, the quest has been narrowed considerably by the discovery of Drake's Plate of Brass and the identification of the Indians he met on his stopover.

Efforts to pin down the exact location of Drake's anchorage began nearly two hundred years ago, when Captain George Vancouver observed in his *Voyage of Discovery . . .* (1798) that "the supposed Bay of Sir Francis Drake" lay in the lee of Point Reyes. Vancouver's identification, however, was occasioned primarily by his cartographic heritage; since the appearance of the first "Island of California" map in 1624, most maps of California, whether of Spanish or English origin, showed an amorphous indentation identified as the "Pt. of S. F. Draco," "Port Sr. Francis Drake," or something similar.

The actual bay represented by the indentation was often in doubt, and often changed. (The Arrowsmith map of 1790, for example, showed San Francisco Bay as the bay of Sir Francis Drake.)

Following in Vancouver's wake came Captain James Burney, who decided in his 1803 *Chronological History of the Discoveries in the South Sea*, Part I, that since Drakes Bay (as we know it today) would not offer adequate protection to ships from the weather, Drake must have anchored in San Francisco Bay. Burney, however, lacked positive proof for his apparently arbitrary decision.

In 1811 Alexander von Humboldt examined all the available old maps of the area and entered the fray, proposing in his *Political Essay on the Kingdom of New Spain*, Vol. II, that Drake landed in the harbor known to the Spaniards as *Puerto de Bodega*. Burney retorted that Humboldt didn't know what he was talking about. Such was the state of the controversy—and the art of history—through the duration of the Spanish occupation of California.

The Drake problem lay fallow until the excitement of war, gold, and statehood had settled somewhat. Then, in 1855, Frank Soule argued in the *Annals of San Francisco* that the *Golden Hinde* had anchored in Drakes Bay. Soule felt that the references in *The World Encompassed* to white cliffs and what he believed were an "abundance of rabbits" (conies) pointed to a site near Point Reyes, and further, that had Drake entered San Francisco Bay, *The World Encompassed* would have discoursed at length on the magnificence of the harbor. On another side of the controversy the 1866 *History of California* by Franklin Tuthill reached hitherto unprobed lows in historical objectivity with the argument that San Francisco Bay was close enough to the descriptions in the narratives, and, besides, what other bay around was sufficiently magnificent to entertain Drake for thirty-six days?

In 1868, J. D. B. Stillman, writing in the *Overland Monthly*, favored San Francisco Bay. He built his case around an identification of the "strange kind of conies" as the California ground squirrel and the fact that the "white cliffs . . . lie toward the sea" and not toward an anchorage in Drakes Bay. He further attacked Vancouver for placing Drake's name on the bay at Point Reyes, thereby misleading popular opinion to assume that it was the anchorage site. John W. Dwinelle, writing in the *San Francisco Call* during 1878, compared the flora, fauna, and geography in the available descriptions to those of Bodega Bay and concluded that the white sand hills of the area were the "white cliffs" of Nova Albion. In 1884 Edward E. Hale challenged Dwinelle, apparently responding to the superficial appeal of Dwinelle's cartographic comparisons of Bodega Bay and the Portus plan from the Hondius map. Hale argued that the Portus plan was "purely imaginary" and that it could match nothing. After examining old Spanish maps and histories, Hale divined that San Francisco Bay was Drake's anchorage—or so it would seem from his reluctance to discuss the traditional evidence.

During the decade of the 1880's the question came under the purview of H. H. Bancroft, whose massive reputation and influence served to solidify opinion and paralyze investigation until well into the twentieth century. Bancroft, in his *History of California* (1884), regarded much of *The World Encompassed* as "absurd" and "not worth reproducing in detail;" there was "no doubt that Drake really anchored on the coast in the region indicated, touching at one of the Farallones on his departure; but in respect of further details they [the narratives] inspire no confidence." He concluded that Drake could not have entered San Francisco Bay, for he would have explored it in search of the Northwest Passage, and the narratives—which Bancroft regarded as compiled by "a liar"—would have mentioned the exploration. Bancroft left the issue



somewhat up in the air, but he favored Drakes Bay slightly over Bodega as the likely landing site.

Immediately after Bancroft's efforts came Theodore H. Hittel's *History of California* (1885), in which the author matter-of-factly stated that Drake "... passed the long projecting promontory of Point Reyes and under its lee discovered 'a convenient and fit harbor' [from *The World Encompassed*] in which he came to anchor on June 17, 1579." End of argument. In 1890 George W. Davidson reversed an earlier position favoring San Francisco Bay and joined the consensus by arguing that the site could not have been San Francisco or Bodega bays for cartographic reasons and because the natives described in the account, he believed, were Nicasio Indians. Later, in 1921, Charles E. Chapman also joined the fold, citing Bodega as an unfit harbor, San Francisco as cartographically wrong, and Drakes Bay as the obvious site by virtue of the "white cliffs."

In 1926, Henry R. Wagner, whose *Sir Francis Drake's Voyage Around the World* remains the classic on the circumnavigation, struck out on his own to argue that the bay represented on the Hondius map was, in fact, Trinidad Head in Humboldt County. Wagner remains authoritative on much of Drake's voyage, but on this point subsequent discoveries and research have left him far out in left field.

The only significant artifact relating to the Drake visit in California is the Plate of Brass which was discovered on a hillside in Greenbrae by Beryle Shinn in 1936. Later, the validity of the plate was authenticated by a team of metallurgists and chemists from Columbia University and M.I.T. The find led Dr. Herbert E. Bolton in 1937 to conclude that Drake's landing had been made at either Drakes Bay, Bodega Bay, or San Francisco Bay. In that same year William Caldiera, a chauffeur, came forward to state that he had picked up a piece of metal that resembled the Plate of Brass at Drakes Bay in 1933 and, later, thrown it out of his car between San Quentin and Kentfield without realizing its value. Although Walter A. Starr, in the *California Historical Society Quarterly* of September, 1962, cast considerable doubt on the supposition that the Caldiera and Shinn pieces of metal were one and the same by arguing that almost two miles separated the point where Caldiera discarded his and Shinn pulled his free from the soil, the authenticity of the location had been impeached.

In 1947, Robert F. Heizer used the descriptions of the Indians in *The World Encompassed* to prove beyond any reasonable doubt that the Indians involved were Coast Miwoks. This research, published by University of California Press, placed the landing site either at San Francisco Bay, Drakes Bay, or Bodega Bay, and Heizer offered the suggestion in closing that the narrative's mention of "white cliffs" led him to favor Drakes Bay as the anchorage.

Since that time the discussion has settled down to a series of articles and addresses favoring either Drakes Estero entering off Drakes Bay or San Francisco Bay: in 1954 Robert H. Power's article in *Pacific Discovery* proposing San Francisco Bay; a reply from Fleet Admiral Chester W. Nimitz of the Drake Navigators Guild delivered at the California Historical Society in 1956 and elaborated upon in *Pacific Discovery* during 1958; an address to the historical society by Robert Power in 1959; the Starr paper in the September, 1962 *Quarterly* favoring San Francisco Bay; and an article by Captain Adolf Oko of the Drake Navigators Guild in the June, 1964 *Quarterly* declaring in favor of Drakes Estero.

It now appears that the Drake question may be in sufficient focus for historians to renew their interest in the evidence and form a new consensus on the matter. If this is the case, the longest search for historical evidence in the Drake historiography may finally be brought to a close.

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## The Railroad Reaches California: Men, Machines, and Cultural Migration

**I**N 1829 A NEW TRANSPORTATION CONCEPT, the steam railroad, jumped the Atlantic to North America from England. During the next forty years, it took root in the eastern United States and moved westward to the Pacific Coast. In the West, the steam railroad was clearly an imported technology; no claim for local origins can be made. The railway was not invented in California nor was the first locomotive constructed in Oakland, the first rail rolled in La Jolla, or the first chilled-wheel poured at Sacramento. The basic innovations that, when combined, made the modern railway possible, occurred generations before the 1850's when the Iron Horse reached California and in far distant places. By 1850 the northeastern United States was operating a dense network of rail lines. The South and Midwest were developing similar systems. The basic technology was already fixed, the age of experiment long in the past.

General historians have already pointed out the east-to-west transfer of society and culture in the United States, and my remarks will buttress their arguments.<sup>1</sup> And if academic historians will permit the mechanic to venture into the "sacred grove," I think they will realize that technology is not only part of the general culture, but, like the decorative arts, for instance, it travels similar paths and is equally bolstered and handicapped by tradition, experiment, and prejudice. Like so many activities of man, mechanical progress appears to be the fruit of successive partial failures.

Before we can understand why and in what form the railway reached California, something must first be said about its origins. The railway had ancient beginnings associated with the mines of Europe. Its ability to move heavy loads with minimum power suggested potential employment for general carriage of goods and passengers many centuries later.

The public railway, as we know it today, was a late development, essentially a manifestation of the nineteenth century, and we are indebted to the British for advancing the primitive industrial tramway into a sophisticated conveyance. It is not surprising that the railway should emerge in Great Britain for, by the mid-eighteenth century, Britain was clearly the dominant industrial power of the world. Scores of Britons worked at perfecting the steam engine, textile machinery, iron bridges, and countless other mechanical devices, and the mechanical arts flourished as nowhere else. As the Italians

delighted in working stone, the English showed a facility for shaping iron: they were, in fact, proclaimed a "ferruginous race" by a contemporary.<sup>2</sup>

Two basic reforms were necessary to make the railway suitable for speedy, long-distance travel: faultless track and mechanical power. Existing civil engineering techniques aided in the construction of level, straight lines; iron rails, in use since the middle of the eighteenth century, made possible a smooth, substantial path. Around 1800, the reasonably compact, high-pressure steam engine was converted into a self-propelling vehicle, and in 1825 these three ingredients were brought together. A new era opened as mechanical land transport was at last possible on a commercial scale. The steam railway easily bested its competitors—the canal and highway—and England's railway revolution was under way.

Young America—faced with a gigantic transportation problem—watched these developments with considerable interest. The vast, unsettled, inland empire needed some means of commercial communication, and the energetic, "go ahead" American population wanted it quickly. A national system of highways, canals, and river improvements had been proposed since the beginning of the republic, but little had been accomplished. Hence, upstart advocates of the new British invention were listened to with considerable sympathy as they argued that the railway was the answer to America's transportation needs.

Canals were painfully slow and subject to spring floods and winter freezes, they observed. Highways were equally slow and had proven to be the most expensive form of freight haulage. Railroads, however, were fast, cheap, and independent of seasonal vicissitudes.

Railway partisans mustered enough support to begin some railway construction in this country by 1830, a year after the first steam locomotive crossed the Atlantic, and the United States became the first country outside of Great Britain to give the steam railway a considered trial. Within two years Americans were not merely convinced of its merits, they were fanatical converts. Observers speak glibly today of America's love affair with the automobile, but they forget this country's early romance with the railroad. And there is nothing more intense than young love. This was no laconic infatuation, it was a burning passion. The United States built railroads faster than any other country in the world. By 1850 they had outbuilt the British by 1500 miles.<sup>3</sup> The pace quickened to two to ten thousand miles a year thereafter. By the end of the century, half of the world's railways were in the United States.

The system developed, as might be expected, from the settled East Coast westward. The New England network was finished by 1850, the Appalachian barrier crossed a few years later. An east-west connection was made with the already constructed midwestern lines. When the Civil War began, the northern states east of the Mississippi River were crisscrossed by rail lines.



The South, too, had a comprehensive system which lacked only a few important connections. West of the Mississippi, however, steam cars were almost unknown.

The technology for all this development was borrowed from Britain in direct and unashamed emulation. American engineers were sent overseas to copy what had been so painfully worked out by the British. Their observations and reports, together with several general texts on the subject, were all that was known about the railway in America. Moreover, the locomotives, rails, wheels, axles, and other necessary hardware were imported directly from Britain.

America's pioneer lines were thus facsimiles of British practice. This comes as no surprise. What is surprising is how fast the British plan was abandoned and a uniquely American style of construction and rolling stock originated.

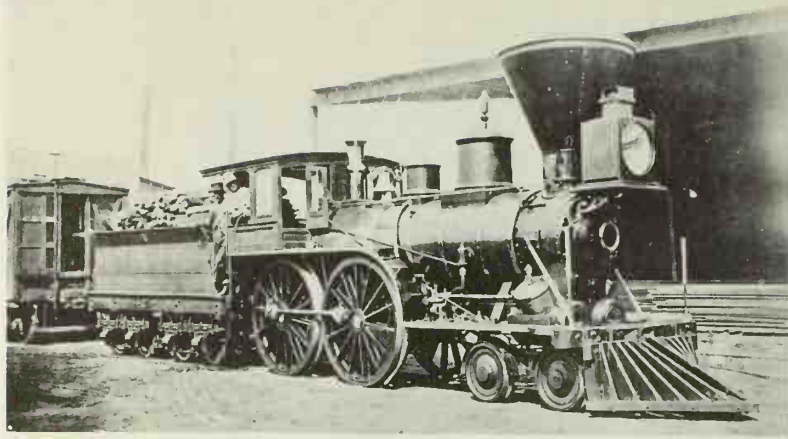
First to be dropped was the method of roadway construction. The English conceived of a railway as a monumental civil engineering work, a "permanent way" to stand up through the centuries. And, as in so many matters of excellence, English railways were expensive—\$179,000 per mile.<sup>4</sup> Britain could afford it, America could not.

Americans were looking for a provisional form of transit. They needed a cheap, easy-to-build railway. They had great distances to cover and centers of population were not only widely separated, but the land between was sparsely settled, and, hence, traffic density was low. In addition, Americans were chronically short of both capital and labor.

The most obvious way to lower cost and hasten construction was to lower standards of construction, and elimination of extensive grading was the first economy. Railroads were planned to follow the natural rise and fall of the land; tunnels were avoided by taking less direct routes around rather than through hills; wooden trestles took the place of masonry viaducts. Track was fabricated from local timber surfaced with only a thin iron strap. The result of these economies was a decidedly inferior railroad, make-shift, dangerous, and expensive to operate and maintain. But it was wonderfully cheap to build. American costs were only one-sixth those of the British plan.<sup>5</sup>

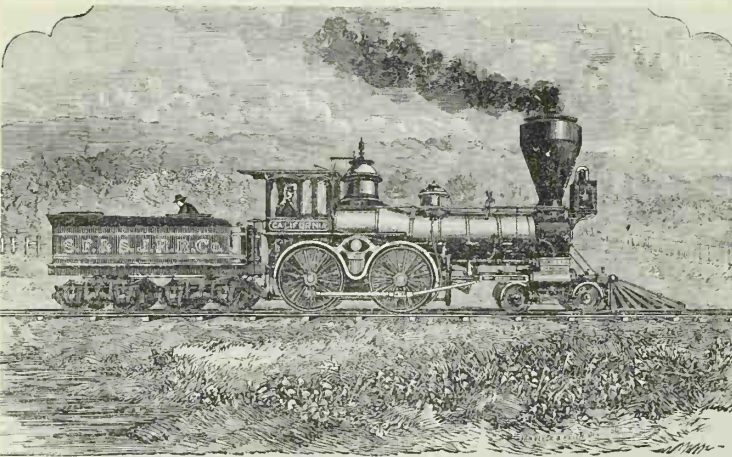
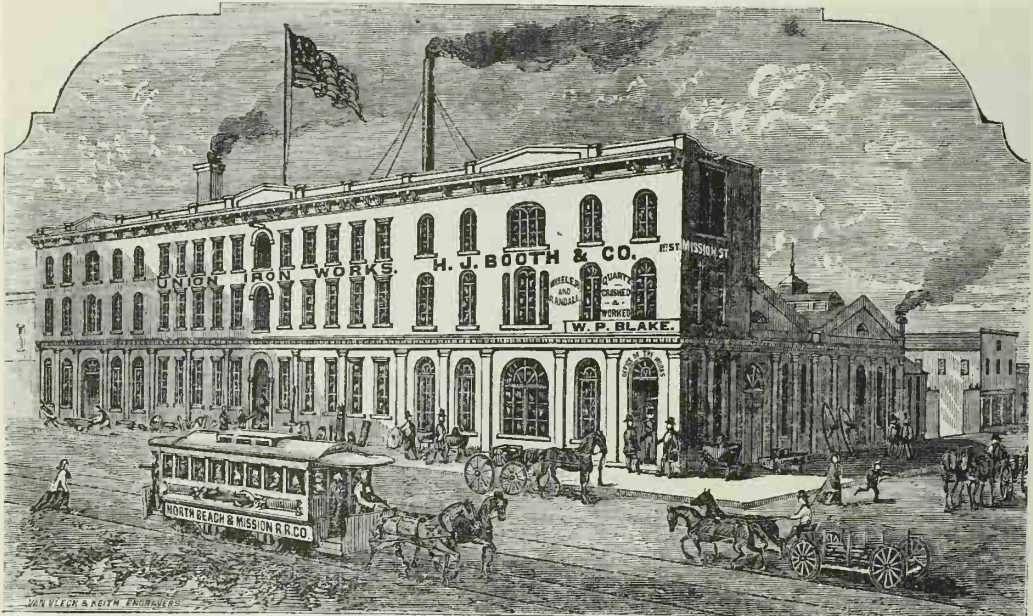
The commitment to sub-standard track in the early 1830's created an immediate need for equipment that could perform satisfactorily on it. Existing British rolling stock was found totally unsuitable, few alternative suppliers of locomotives existed, and many pioneer American railway men were convinced that Britain alone could produce first-class machinery. Domestic foundries were capable of producing pig iron, scalding kettles, fireplace irons, and the like, but surely, they believed, nothing so sophisticated as a locomotive engine. This bias was quickly overturned, however, by the inept performance on the new track of the imported machines.<sup>6</sup>

The most obvious problem with the British machines was the running



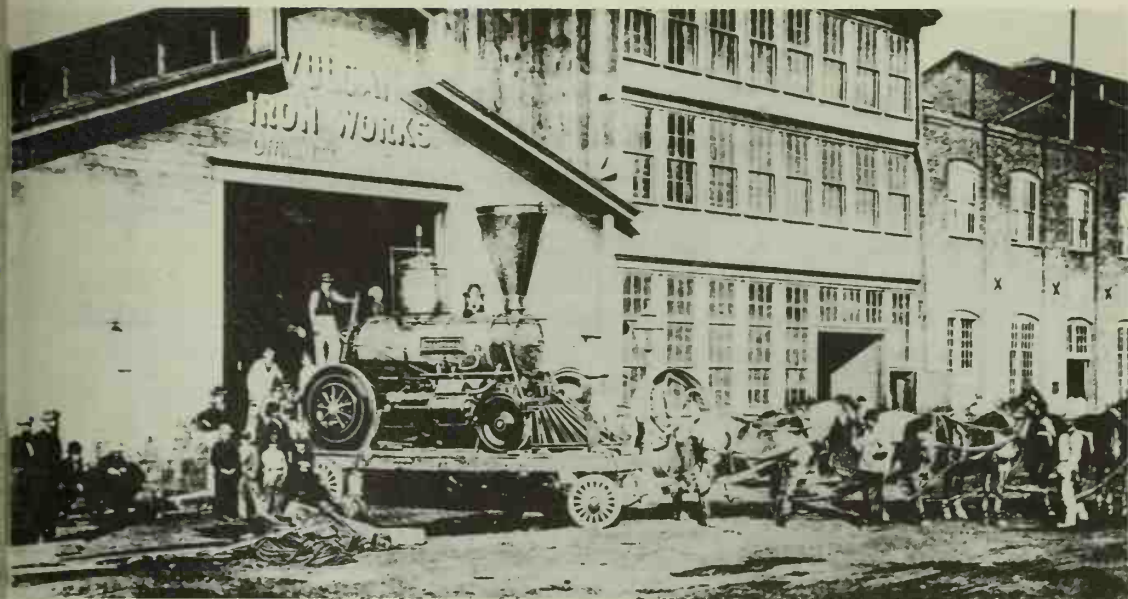
The first locomotive in California was built in Boston in 1849. Originally named the *Elephant*, it is shown here as rebuilt and renamed *Pioneer* in 1869. *G.M. Best Collection.*

San Francisco's Union Iron Works (below) was the Far West's only commercial producer of main line locomotives. *DeGolyer Library, Dallas, Texas.*

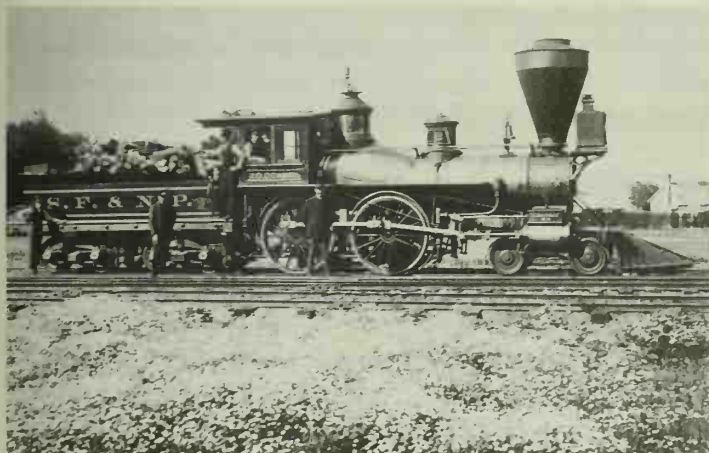


In 1865 California's first locomotive was produced by the Union Iron Works. The *California* was built for the San Francisco and San Jose Railroad. Later acquired by the Southern Pacific, it remained in service until 1911. *DeGolyer Library.*





The Vulcan Iron Works (above) on San Francisco's First Street (photograph, 1867) specialized in light locomotives. *Photo G.M. Best from Roy Graves Collection.*



In 1870 Union produced its fourteenth locomotive, the *Downey* (left), for the San Francisco and North Pacific. *Railway and Locomotive Historical Society.*

gear. It was rigid and compact, while the United States' uneven, serpentine lines called for limber, rangy machines. Flexibility was the key, then, and it became a watchword of the inquiring Yankee mechanics who set out to refine the locomotive for use in America.

By 1840 considerable experimentation had convinced American railroad men that the eight-wheel locomotive plan was the best design for general service. Until the 1880's, in fact, its hegemony was so complete that it became known as the Standard or American type locomotive. Like giant cookie cutters, locomotive shops in all parts of the country stamped them out alike. Only the most pedantic specialist could note differences between the products of Boston, Philadelphia, or Paterson, New Jersey, shops, and even these would be conceded as trivial variations in details: distinctive bell stands, dome covers, or makers' plates. It is difficult to exaggerate the ubiquity or



importance of the standard eight-wheel locomotive which was relied upon in New England, the Midwest, and the South. And when the locomotive finally came to the Pacific West after 1850, it was in the form of a standard eight-wheeler.

People had talked of building a railroad to the Pacific a dozen years before the gold rush, but a project of such scope was regarded as the preoccupation of cranks, an impossible dream. And so it remained. Indeed, California had been a state twenty years before a transcontinental rail connection was opened to the east.

The railroad did not travel to California by land; it traveled by sea. And it came quietly, humbly—not to haul a rich golden lode or a restless population, but to move sand and gravel. In the spring of 1851, contractors engaged in improving San Francisco's waterfront off-loaded a locomotive, several flat cars, a quantity of rail, and a steam shovel sent round the Horn from the Globe Iron Works in Boston.<sup>7</sup> This locomotive, the first on the Pacific Coast, was appropriately named the *Elephant*, and she was meant for yeoman service in leveling the sand dunes and filling the marshes fronting San Francisco. However, city fathers would not tolerate the crossing of streets by a steam-powered train. The contractors thus were forced to operate with mules, and the *Elephant* remained in storage until she was sold to the Sacramento Valley Railroad five years later.

Practical as the grading project may have been, it can hardly be called a glamorous beginning for railroading in the West. But agitation for a proper-style steam railroad was growing. Several lines were in the process of incorporating, while talk of many others abounded. California's population had grown enormously since 1849, and most of the influx was from the eastern states. Established habits and customs came with the immigrants who remembered the comforts and conveniences of rail transport. Theirs was a conscious desire to recreate an eastern civilization on the Pacific shores. The majority of the new population were lawyers, farmers, carpenters, grocers. They were not professional miners—they were dilettantes, and they wanted the familiar comforts, not frontier privations. Soon there were enough of them to generate the traffic needed for a paying railroad.

The railroad movement centered in Sacramento, gateway to the gold fields.<sup>8</sup> Reliable transportation from the seaport of San Francisco was available to this point by river steamer. But eastward lay a tedious trip overland. First plans called for a railroad to the Mississippi River, but promoters, on learning the cost of such a road, were content to modify their plans. A short line to Folsom on the American River, some twenty-two miles northeast of Sacramento, was projected instead. Even this modest enterprise was realized only slowly. Construction did not begin until 1855, nearly three years after a charter was granted.

Just a year later the line opened and a local newspaper reported that the

trains were propelled by an "engine screaming and tearing along like an infuriated devil." This railroad was an exact copy of its eastern counterparts. It was built by the New York contractors Robinson, Seymour & Co. The chief engineer was Theodore D. Judah of Bridgeport, Connecticut, better known as a zealous advocate of the Pacific Railroad. The locomotives came from Boston; the rails from England. (The United States did not become self-sufficient in rail production until late in the century.) Only the car bodies were locally produced. The wheels and hardware were from the East where a large subsidiary supply industry, with a corps of specialists to man it, had rapidly grown up.

The Sacramento Valley line opened the railroad era in California. During the first decade progress was made at a measured pace. Several small roads were built and work started on the Central Pacific. By the mid-1860's a wave of new construction was planned or underway. In 1862 the state had only twenty-three miles of railroad; ten years later over a thousand miles had been added.<sup>9</sup> The demand for supplies and rolling stock rose sharply. Because of the Civil War these materials were scarce and expensive. The nation's locomotive plants—concentrated in the northeastern states—were hard-pressed to satisfy the needs of both the commercial railroads and the Union army. The government was not above requisitioning locomotives when necessary. In addition California railroads were required to pay \$2000 and more in shipping charges (adding roughly 20 per cent to the costs).<sup>10</sup> The trip by sea averaged 150 days and in one instance took as long as nine months. Transshipment over the Panama Railroad had been tried, but the freight charges were astronomical.

The obvious question was soon asked: why not build engines in the West and save the time and cost of ocean shipment? San Francisco had foundries and mechanics aplenty. Had not a small geared locomotive already been completed at the shops of Young and Stoddard in the winter of 1859? Other light locomotives were subsequently made at the Vulcan Iron Works. Could not road engines be built as well? This combination of economics and local pride could lead to only one answer.

The challenge was taken up by the Union Iron Works in San Francisco in 1865.<sup>11</sup> The plant had expanded considerably since its founding sixteen years earlier by Peter Donahue. Like so many other California pioneers, Donahue found more gold in swinging a hammer than in turning a pick or shovel for elusive rich ore. He stayed with the machinist trade he had learned in Paterson, New Jersey, a locomotive-building center since 1837. Like so many early mechanics he felt equal to mastering any specialty, from marine engines to stamping mills. By the time the locomotive project came about, Donahue had drifted into other business ventures outside the Union Iron Works. One of these was the San Francisco and San Jose Railroad. But when more locomotives were wanted, he naturally turned to his old shop.

Donahue left the design and production, however, to others, notably Irving M. Scott (1837-1903).<sup>12</sup> Scott knew locomotive construction from his earlier connection with the Murray and Hazellhurst firm of Baltimore. It had been through this firm, in fact, that he moved to California. In 1860 he had been sent to deliver and assemble a steam fire engine purchased from Murray and Hazellhurst by Peter Donahue, and Donahue persuaded him to stay in the West. When Scott approached locomotive building, he followed the established, standard eight-wheel plan and his design was conventional in size and pattern. The first engine was finished in August, 1865. Appropriately named the *California*, she upheld the reputation of her maker by continuing in service until 1911. Other orders followed, often from Donahue-controlled lines, but after two years only eight locomotives had been constructed. Eastern firms built as many in a month. Production was suspended between about 1873 and 1881; a few more were built; and then the locomotive department was closed. Total production (1865-1882) was a meager thirty locomotives.

Why were there so few orders from California's railroads? The product was good, deliveries certain, inspections convenient, cost of transportation minimal. It has been said the Central Pacific refused to buy because San Francisco bankers would not support the adventures of C. P. Huntington. Yet, at least for a short time, Scott was a director of the Central Pacific. A more likely reason was credit. Railroads were accustomed to buying locomotives on easy terms—payments over two years were not uncommon. Shares of stock were even accepted. Builders near the financial capitals of New York, Boston, and Philadelphia prospered under this system. Provincial combatants either failed or retired to another line of work. Except for a few manufacturers of very light industrial locomotives, no other commercial production of railway engines was attempted in the Far West.

California's experience was not unique. Other regions similarly failed to establish locomotive plants outside of the northeastern states. During the 1850's a dozen midwestern shops tried to break the monopoly. They built good engines, some superior to eastern products, but all save one were closed by the 1857 panic. The South tried as well but enjoyed even less success; only the several plants in Richmond, Virginia, made much of a showing.

The manufacture of railroad cars seemed to offer a more promising prospect. It was less specialized and capital-intensive than locomotive building. Being essentially a wood-working trade, a smaller investment in tools and materials was possible. A shop could be manned by common labor with a few carpenters and cabinet men for the more finished work. Plenty of choice timber was available.

Among the first commercial builders was the Kimball car works of San Francisco, opened sometime in the 1850's.<sup>13</sup> The firm is known to have built passenger cars for a number of local railroads. Its greatest opportunity came



in 1870 when the Central Pacific sought a local source for sleeping cars.<sup>14</sup> The road wanted a first-class sleeper that would rival Pullman's elegant Palace cars. As a work of local craftsmanship, the sample car was made entirely of native timber. California laurel, Mexican rosewood, and coral wood were worked into the interior paneling. The exterior was varnished to better show off the choice woods used. Splendid as the exhibit car, the *Siempre Viva*, proved, the Central Pacific, for reasons never explained, continued to patronize the established eastern shops. Kimball went under when the Bank of California failed in 1875. The plant appears to have reopened, but it never achieved an important place in the national car building industry. The half-dozen other car builders on the West Coast were similarly too small to rival the great eastern establishments.

If a case cannot be made for the success of commercial car and locomotive builders in the Far West, what of the workshops of the existing railroads? Repair work was the chief function of these facilities, but most large roads attempted at least a limited amount of new construction as well. Traditionally, the industry has supplied 25 per cent to 30 per cent of its new cars from its own workshops.

The earliest railroad repair shops of any size in California were those of the Central Pacific in Sacramento.<sup>15</sup> From employing 20 to 30 men beginning in 1863, employment rose to 1500 in little over a decade. By 1888, 2700 workers were employed. For many years the Central Pacific shops were undoubtedly one of the mightiest industrial complexes in the West. Over \$1.25 million had been invested in the shops and another \$1 million was held in supplies. The need for so vast a plant was explained to the stockholders by the railroad's president, Leland Stanford. In the 1872 annual report he asserted: "Far removed as we are from manufacturing centers, shops complete for the manufacture of cars and locomotives are a necessity."

At the time of Stanford's report the road's master mechanic, Andrew Jackson Stevens, had secured permission to try his hand at new locomotive construction.<sup>16</sup> Since 1870 he had petitioned the management on this matter. A native of Vermont, Stevens came to California in 1861. His first experience in locomotive building was at the Vulcan Iron Works. A few years later he built several engines in the tiny repair shops of the San Francisco and Alameda Railroad.<sup>17</sup> Later, as an employee of the Central Pacific, his ambition was to produce a good road engine worthy of the Sacramento shops. At his side was George A. Stoddard, a fellow Vermonter and a first-class draftsman. Stevens and Stoddard put their best thinking into the new *Number 55*. Completed in June, 1873, she was a model locomotive, but again conventional in all respects.

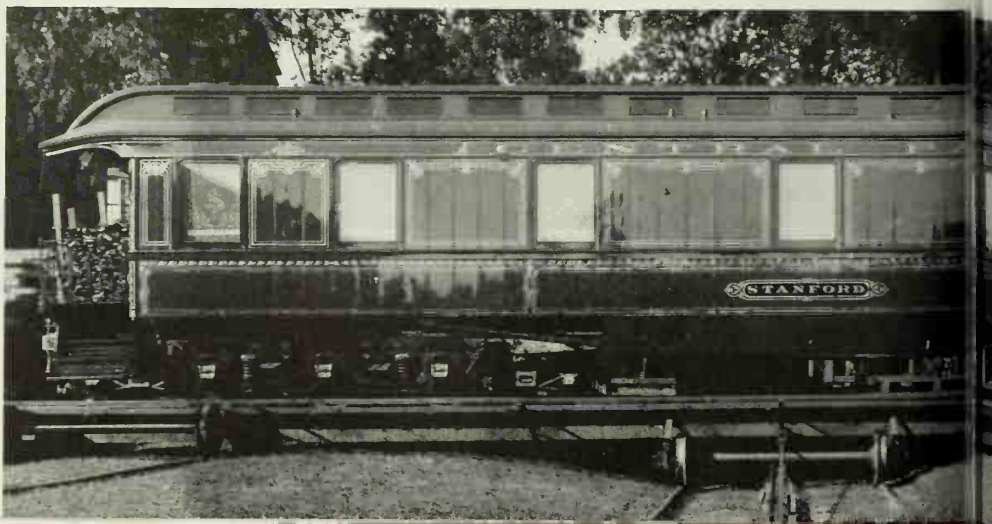
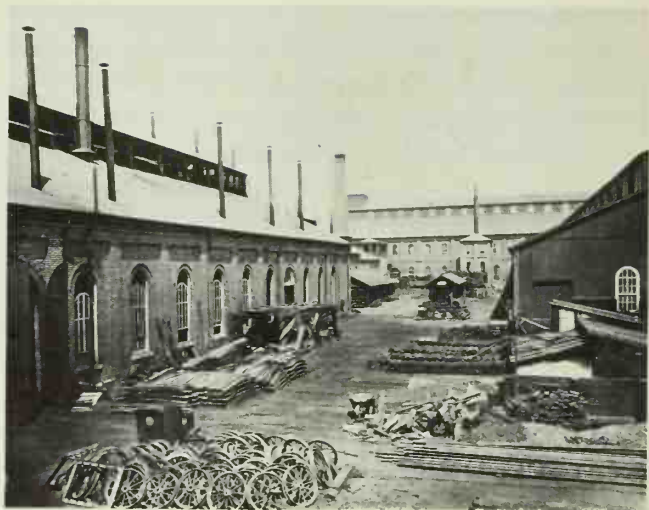
At one point the Central Pacific was misled into thinking that novel locomotives of unusual power could alone surmount the western slope of the Sierra Nevada. Accordingly, a monstrous fifty-four-ton Fairlie loco-

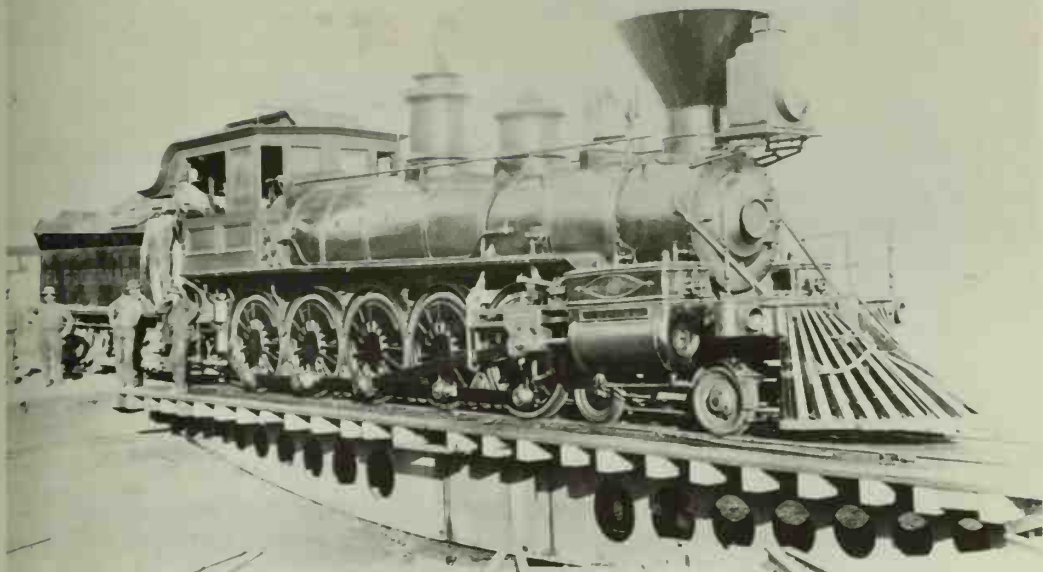


Andrew Jackson Stevens (left), 1833-1888, master mechanic of the Central Pacific Railroad. *Southern Pacific.*

The fourteen-wheeled *El Gobernador* (right) was Andrew Stevens' most ambitious attempt at locomotive construction. The 1884 experiment was one of his few failures. It was scrapped ten years later. *Photo G.M. Best from Huntington Library.*

For many years the Sacramento shops of the Central Pacific Railroad were one of the largest engineering facilities in the Far West. *Southern Pacific.*

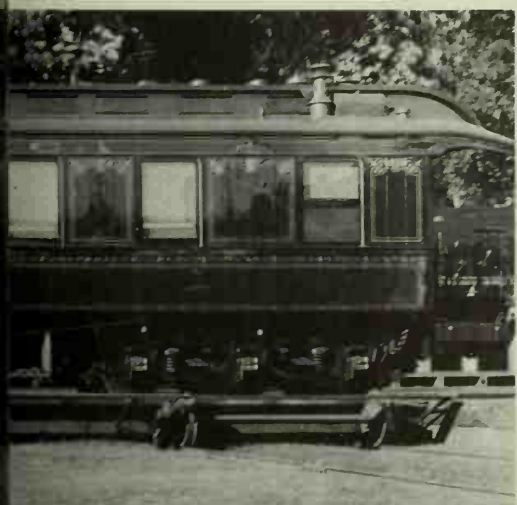




motive was ordered from the Mason Machine Works in 1868.<sup>18</sup> Happily, however, the management came to its senses before delivery was made, since locomotives of ordinary construction proved satisfactory on the steepest grades.

While the road continued in its policy of sticking with conventional locomotives, Stevens was convinced that more powerful machines were desirable. In 1882 he built a heavy twelve-wheel freight engine numbered 229. It was an outstanding success, yet orders for the production models went to eastern shops, not Sacramento, because, as Stevens was forced to admit, his production costs were greater.<sup>19</sup> They were apparently so high, that, beyond experimental engines and a few short runs, relatively few new locomotives were actually produced at Sacramento. Only seventy-four were built between 1873 and 1889. Production was suspended shortly after Stevens' death, not to be resumed until 1917.<sup>20</sup> It was then continued for another twenty years on a limited basis.

Although Stevens failed to institute large-scale production of locomotives at Sacramento, it should be remembered that he, nevertheless, was one of the



Some notable cars were produced in the Far West. This magnificent private car (left) was manufactured at the Sacramento Shops in 1882 for Leland Stanford. *Southern Pacific.*



few western locomotive superintendents to enjoy a national reputation. His early work with power reverses, radial-valve gears, and oil-fired locomotives brought him considerable fame. Of course, like any experimental mechanic, he occasionally blundered. One of his pet designs—the 237 (*El Gobernador*)—patently disproved the adage that if a little is good, more must be better. Stevens' fourteen-wheel engine had to be partially disassembled to move over portions of the line, for instance. The 237 never performed well, and, after a long rest in the shops, it was quietly junked. The adoption of several of Stevens' ideas in later years, however, vindicates his memory.

Stevens' counterpart in the car-manufacturing branch of rolling stock production was Benjamin Welch. A son of Maine, he apprenticed at the Portland Company, a car and locomotive manufacturer of that state. In 1852 Welch caught the gold fever and traveled to California where he failed as a miner and re-entered railway service on the Sacramento Valley Railroad.<sup>21</sup> In 1863 he was hired-on as car master by the Central Pacific.

Four years later the road decided to seriously enter into the production of cars. A two-story brick shop, 90 by 238 feet, was constructed, and Welch was made superintendent. Under his direction all varieties of cars were produced, from simple hand cars to elegant private varnished models for the directors. Total production figures are not available, but scattered evidence indicates that the shop's output was considerable. Various sources, including the annual reports of the Central Pacific, offer the following figures: 1872, 826 freight cars; 1875, 24 first-class coaches, 20 second-class coaches, 9 cabooses, and 73 box cars; 1887, 400 freight cars; 1892, 750 freight cars. In August, 1888, *Railway Review* reported that "it is rush, push, crowd and jam. . . and still the shops are unable to supply all the demands for rolling stock and material." The same note stated that 147 cars were under construction, 28 of which were tourist sleepers.

Obviously, the Central Pacific was far more enthusiastic over the construction of cars than the fabrication of locomotives. Yet, a significant number of cars continued to be purchased in the East. In addition, the Sacramento car shop, though important in the Far West, was by no means an extraordinary facility when compared to operations elsewhere in the United States. And, of more consequence, the Central Pacific was never independent of the eastern contract builders. It followed the national pattern of dependence on outside suppliers for the bulk of its rolling stock.

The railroad's first decade in California, then, was a repetition of what happened elsewhere in this country. Men and machinery were brought in from the East, because what worked in Vermont and New Jersey worked equally well in Ohio and Michigan, and what worked in the Midwest was found entirely satisfactory in the Far West. The style of railway perfected in the northeastern United States in the middle and late 1830's proved eminently practical for use in all sections of North America.

The system developed to conquer the Appalachians, the Blue Ridge, and the Berkshires proved capable of subduing the Rockies. Everywhere in the world, mechanics loyal to the British system were forced to admit that climate, terrain, population, traffic, and other factors argued for the American railway plan. The American engineer Henry Meiggs succeeded in the mountains of Peru where British rail builders had failed. George Washington Whistler took the American plan to Russia. The railways of countries including Canada, India, and Chile illustrate the triumph of the provisional railway. Even England adopted the leading-truck locomotive and the eight-wheel car in time. This very day England is undergoing the final transformation to American practice by employing "T" rail and electric signals.

The men who carried the established technology westward to California only served to strengthen the American orthodoxy. Schooled in Lowell, Amoskeag, or Manchester, they made up a "New England conspiracy" that cornered all the railroads' mechanical jobs in the West. They carried their eastern training for life and saw no reason to radically change good design. For good reasons, engineers resort to innovation only when conventional means prove unequal to the task.

From the above samplings which, I suggest, are representative of all early industry in the Far West, it is apparent that a marked dependence on eastern designs and suppliers continued for many years. Western railroads were never successful—if they, indeed, tried at all—in freeing themselves from eastern suppliers.

In recent years the rise of the electronic and aircraft industries in the Far West, together with the radical engineering concepts utilized in San Francisco's Bay Area Rapid Transit system, has altered the direction of cultural-technical flow. The emergence of a major western railway transit-car builder, Rohr Industries, which employs some startling space-age techniques, helps substantiate the hypothesis that the source of engineering progress is shifting from the East to the West. And if we look further westward, to the once-closeted empire of Japan, we can see how far and swiftly that current may flow.

#### NOTES

1. A version of this article was presented at a seminar entitled "The Roots of California Culture," sponsored by the University of California in April, 1970.

2. I am indebted to Professor Eugene Ferguson, University of Delaware, for this phrase.

3. General statistics offered here and elsewhere in this paper are taken primarily from *Historical Statistics of the United States, Colonial Times to 1957*, Bureau of the Census, 1960.

4. Z. Colburn and A. L. Holley, *The Permanent Way and Coal-Burning Locomotives* (New York, 1858).

5. H. S. Tanner, *A Description of the Canals and Railroads of the United States* (New York, 1840). Foreign reports on United States railroads of the period confirm the above. See F. A. Von Gerstner's *Die Innern Communication . . .* (Vienna, 1843).
6. See J. H. White, *American Locomotives 1830-1880* (Baltimore, 1968).
7. G. M. Best's excellent article in *Western Railroader*, June, 1970, pp. 3-20, culls fresh information on pioneer West Coast locomotives from early newspapers.
8. G. H. Kneiss, *Bonanza Railroads* (Stanford, 1941), is a basic reference on early California and Nevada railroads.
9. *Poor's Manual of Railroads*, 1872-73, p. xxxiii.
10. G. M. Best, *Iron Horses to Promontory*, 13-17, 32 (San Marino, 1969).
11. Railway and Locomotive Historical Society *Bulletin No. 68*, p. 40 (November, 1946), offers a history of the Union Iron Works. Other details are given in an obituary of Peter Donahue in *Railroad Gazette*, December 18, 1885, pp. 804-05.
12. A summary of Scott's life is given in Alonzo Phelps, *Contemporary Biography of California's Representative Men*, 1881, pp. 160-64.
13. *San Francisco City Directory*, 1859, p. 168. See also E. H. Charlton, *Railway Car Builders of the United States and Canada*, 43 (Los Angeles, 1957), for a short account on Kimball.
14. *National Car Builder*, September, 1870, p. 3.
15. Railway and Locomotive Historical Society *Bulletin No. 48*, p. 26 (March, 1939), contains a general history of the Sacramento shops. Other details are included in *Bulletin No. 65*, p. 7 (October, 1944).
16. *Ibid.*; *American Railroad Journal*, April, 1888, p. 190.
17. Historians traditionally ascribe these engines to A. J. Stevens, even though a contemporary account credits them to a C. W. Stevens. An obituary of C. W. Stevens, however, in the February 25, 1882, issue of *American Railroad Journal*, p. 122, credits him with building the first locomotive in California and serving as the superintendent of Oregon's premiere railway.
18. "The Janus. . .," in *Journal of Transport History*, May, 1964, p. 175.
19. *National Car Builder*, May, 1880, p. 79.
20. G. L. Dunscomb, *A Century of Southern Pacific Locomotives*, 22 (San Marino, 1962).
21. *Biographical Dictionary of Railway Officials of America*, 1906, p. 641. See also R. and L. H. S. *Bulletin No. 48*.



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## San Francisco Black Churches in the Early 1860's: Political Pressure Group

**R**EVERBERATING with the click of dancing shoes, Assembly Hall, at the corner of Post and Kearny streets, hummed with activity. Singing violins bowed out waltzes, polkas, mazurkas, and lancers and informed passers-by that a party was merrily progressing behind the bricked walls. Bethel African Methodist Episcopal Church was holding a supper-dance: supper with the clergy, dancing after they left. From such happy occasions it might appear that the San Francisco black community of the early 1860's was content and that few racial problems existed. In reality, however, this period witnessed substantial efforts by the black community to repeal laws denying black people suffrage and prohibiting them from testifying and acting as witnesses in court cases involving white people.

In the struggle to change these discriminatory laws, black churches played a significant role. As in other black communities throughout the United States, black churches in San Francisco were institutions created "for survival" and "a creative means of calling forth pride in achievement to disprove the white assumption of Negro inferiority."<sup>1</sup> Beginning in the 1850's and continuing throughout the 1860's, San Francisco black churches became involved in the civil rights problems of the black community. They provided meeting places to launch political protests. They also provided leadership, a leadership which worked very closely with lay leaders to improve the civil rights of black people in San Francisco and in California.

The three black churches of San Francisco—Third Baptist, Bethel African Methodist Episcopal, and African Methodist Episcopal (AME) Zion—began their religious and social-cultural activities in the same year, 1852. Commencing with a gathering of nine black Christians, the Third Baptist Church on Dupont between Greenwich and Filbert employed its first pastor, Rev. Charles Satchell, a black minister from Cincinnati, in 1854 and in 1860, Rev. Thomas Howell, a white clergyman.<sup>2</sup> Bethel AME Church engaged Rev. Joseph Thompson, a white clergyman, to serve as its first pastor and by 1854 had selected Rev. Thomas M. D. Ward, a black clergyman, to take over. Ward moved his congregation from Jackson and Virginia to a carpenter shop refitted for religious services on Scott Street until he could purchase a larger building on Powell Street between Jackson and Pacific.<sup>3</sup> AME

Zion Church first held its services in a building on Stockton Street near Vallejo and, four years later, the congregation moved to Pacific Street near Powell under the leadership of its vigorous black pastor, Rev. John J. Moore.<sup>4</sup> By the beginning of the 1860's, the churches had established themselves and had begun to expand their social and religious activities.<sup>5</sup>

In the 1860's the black community and its three churches were located in an area bounded by Washington Street, Larkin Street, and the Bay of San Francisco.<sup>6</sup> There, the black community carried on its daily activities which largely centered around the churches that provided educational and recreational programs and economic assistance to the needy. Throughout the 1850's and 1860's, the churches sponsored a large number of festivals, fairs, musical concerts, recitals by Sabbath School children, and evening lectures. These activities—activities common to both white and black churches—had dual purposes of money raising and community education.<sup>7</sup> Third Baptist Church, for example, sponsored a musical evening featuring the works of Mozart, Rossini, Schubert, and Haydn;<sup>8</sup> Zion and Bethel churches featured lectures by the popular Unitarian minister, Rev. Thomas Starr King, and by a black physician, Dr. Ezra R. Johnson. Rev. King lectured on such subjects as patriotism and the Hosea Bigelow poetry of James Russell Lowell.<sup>9</sup> Dr. Johnson's scientific lectures examined, then demonstrated, laughing gas and even offered the audience a chance to get "high."<sup>10</sup>

In addition, the black churches provided economic assistance to needy black brothers in times of want, disaster, or war. As did most white churches, black congregations supported orphans and widows with food and money. They aided the victims of natural disasters such as the 1861-1862 Sacramento flood,<sup>11</sup> raised money to help the sick and wounded of the black 54th Massachusetts Regiment during the Civil War,<sup>12</sup> and sent money to aid Freedmen.<sup>13</sup> They also collected money to help their Native American brothers in California.<sup>14</sup>

In their churches, black people could find refuge from the hostile white community,<sup>15</sup> as well as "cultural" enrichment, recreational outlets, and economic assistance. In the arms of the church, black people of the San Francisco community could also find outspoken champions for civil rights: black clergy and lay leaders.

When black people first arrived in California—before the establishment of the black churches—they immediately encountered racial prejudice and discriminatory legislation directed against them. The constitutional convention which met in Monterey in September of 1849 passed legislation which prohibited black people from voting.<sup>16</sup> When the state legislature convened in 1850, it added another disability, the exclusion of the testimony of black people in court cases involving white people.<sup>17</sup> A year later, the legislature enacted a measure which prohibited black people from acting as witnesses

in court cases involving white people.<sup>18</sup> Not content with these measures, the legislature considered bills in 1852, 1857, and 1858 which would have forbade the immigration of black people into the state.<sup>19</sup>

San Francisco black people resisted attempts to deny them their civil rights. Before the churches became involved in the civil rights movement, men such as Mifflin W. Gibbs and Peter Lester had urged black people to refuse to pay taxes until black people received voting rights. The efforts of the two men received support from the recently-established churches and from the first Colored Convention which met in 1855 in the Sacramento Bethel AME Church. Rev. Moore of Zion Church and Reverends Ward and Sanderson, both of San Francisco Bethel AME Church, worked to overturn the anti-black laws with Gibbs, Lester, and Jonas H. Townsend, the future editor of the first black-owned newspaper in San Francisco, *Mirror of the Times*.<sup>20</sup> The convention agreed to petition the legislature to repeal the testimony and witness laws. Two conventions, both using Bethel Church facilities, followed the first. These conventions mapped strategy for a renewed attack on the laws, but, again, the strategy failed, and the legislature refused to act. Greatly discouraged at the failures and at the Supreme Court's Dred Scott decision, some of the delegates decided to leave California for British Columbia, a new land of gold and hoped-for freedom.<sup>21</sup>

When the new decade arrived, the black community received the help of the Unitarian Rev. Thomas Starr King and of a future black newspaper owner and editor, Philip A. Bell. Under their leadership, the community renewed its efforts to pressure the legislature into repealing the adverse laws. Once again, the pastors Moore and Ward resumed their activities which urged the legislature to rescind the testimony and witness laws.

In 1862, the black community petitioned the state legislature to repeal the two laws, but, again, the legislature failed to act. Rev. Moore encouraged the community not to give up or relax pressure on the San Francisco legislators. The San Francisco *Lunar Visitor*, Rev. Moore's own newspaper, subsequently published a statement of black people's goals for all the citizens of San Francisco to read and consider:

1. We want *unity of sympathy*....
2. We want *unity of purpose*....
3. We want *unity of particular interest* in our own race....
4. We want *unity of confidence* in ourselves....
5. We want the *unity of self-respect*....<sup>22</sup>

Rev. Moore's efforts received support two months later when editor Bell of the newly-established San Francisco *Pacific Appeal* ran a number of editorials urging the black community to renew the repeal effort. One of his editorials stated:



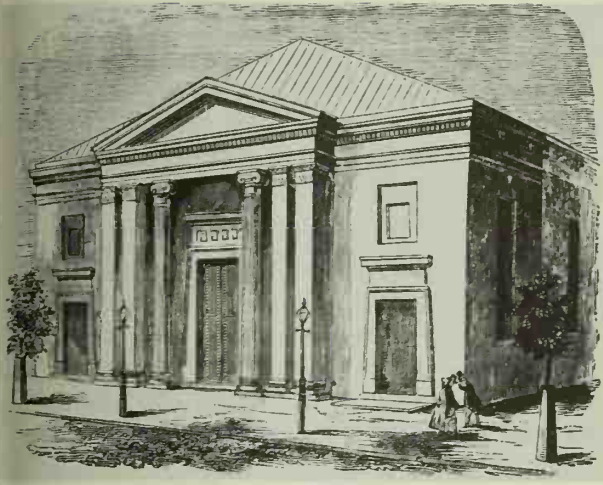


We have a year before us in which to work for the obtainment of our rights at the hands of the next Legislature. We failed this year from want of time, and from the lack of unity of action among ourselves. We should not have so many different plans of action, but we should work in harmony together, each one, if necessary yielding somewhat of his own opinion for the sake of uniting on some general measure.<sup>23</sup>

While the *Pacific Appeal* editorialized, ministers preached, and community meetings continued, several outside factors began influencing the legislature's attitude toward repeal. The Chinese, whose number in California was growing, began causing the white community and its legislators more worry than the black people. (Blacks in California numbered around 4,086 in 1860 and 4,272 in 1870; Chinese numbered around 34,933 in 1860 and 49,277 in 1870.) In addition, the emancipation of slaves in the District of Columbia and the Emancipation Proclamation, issued January 1, 1863, indicated to the legislature that it must seriously consider repeal of the laws.<sup>24</sup>

In January of 1863, the senate passed and sent to the assembly two bills which would repeal the testimony and witness laws. After debate and delays, the assembly passed the bills in March, and Governor Leland Stanford then signed the measures into law. The combined efforts of the church and community leaders, fear of the increasing number of Chinese, and the Emancipation Proclamation had finally brought success. On March 21, the *Pacific Appeal* enthusiastically praised the legislature for its action, but realistically warned the black community:

As the Testimony Bills have now passed both branches of the Legislature, and as we will hereafter be under the protection of the law, in all our dealings and actions in the respective localities in which our people reside, we should be more guarded than ever against committing any acts that might be construed, by the enemies of our advancement, as a consequence of the repeal of those unjust laws.<sup>25</sup>



By the early 1860's San Francisco's black churches expanded to include social and political activities. In 1862, Bethel AME purchased a frame building on Powell between Jackson and Pacific streets (far left) for \$5,500. They met on the site until the 1940's. Third Baptist met for a short time at a sanctuary (near left) on the corner of Jane and Natoma streets. AME Zion moved into a classic structure (above) on Stockton between Clay and Sacramento, purchased from a Unitarian congregation in 1863-64. *California Historical Society.*



Crusading journalist Phillip A. Bell (above) aided black ministers in mobilizing their congregations. One result was the Petition of 1862 (right) calling for the repeal of state laws which prohibited black citizens from testifying or acting as witnesses in court cases involving white citizens. *California Historical Society*

To the Honorable, the Senate and Assembly of the State of California.  
The undersigned, citizens of the United States, and residents of the State of California respectfully represent unto your honorable bodies that the Statutes of the State of California, prohibiting persons of one-half or more of negro blood from being witnesses in an action or proceeding to which a white person is a party, and prohibiting persons who have no legal part or more of negro blood from giving evidence in favor of or against any white person, is an immoral statute, ought, in the opinion of your petitioners, to be repealed. That said Statutes are unjust and oppressive both to the white and the black; That since you are unpunished for the reason that the only witnesses to its commission are persons disabled by these statutes from testifying.  
That the honest white man is also estopped from the use of its evasive evidence of pseudo goods to legitimate transactions.

That patented and fraudulent claims and evidences of indebtedness are often placed in the hands of white men, for purposes upon their face to have given in due course of business, against colored persons, for the purpose of excluding colored evidence of payment or satisfaction; and these claims are often denied upon and the amounts recovered.

Your petitioners are of opinion that judges and juries ought to be allowed to judge of the weight which should be given to the evidence of colored persons; and that they should be as capable of determining whether a black man is speaking the truth, as a white man.

We believe that the exclusion of the testimony of a race of men, is unnecessary, unless of a race held as slaves, or of one having an abominable religion. That the exclusion of the testimony of the descendants of Africans, in the United States, is connected as an incident to slavery, and should be discontinued with it.

In presenting this Petition, we respectfully suggest that justice and impartial administration of the laws, both in civil and criminal cases, demands that the 3<sup>d</sup> clause of section 594 of the Civil Code, and the 14th section of the 4<sup>th</sup> Article of the Constitution, should be repealed.  
And your petitioners, with every prayer.

The black community had registered a triumph, yet two other serious disabilities remained: non-eligibility to vote and segregation in the school system. With the end of the Civil War and postwar readjustments, the black community had relaxed. Bell, Ward, and Moore, however, resumed their warnings that the black community must continue to fight against racial prejudice. A public meeting held in Bethel AME Church in San Francisco in May of 1865 discussed the calling of a convention to plan strategy for an attack on suffrage disqualification and school segregation. The convention met later that year in the Sacramento Bethel AME Church to examine the questions, and the delegates at the convention resumed the sending of petitions and the pressuring of state legislators.<sup>26</sup>

The fight for voting rights continued for five discouraging years—years which saw the militant Rev. Moore transferred to the South to become bishop of the South Episcopal District of the Zion Church. Voting rights were finally obtained with the passage of the Fifteenth Amendment, but schools in California remained legally segregated until 1880.<sup>27</sup> By then, Bishop Ward had also left San Francisco to assume new duties in Atlanta, Georgia.<sup>28</sup>

The San Francisco black community and, in particular, Zion and Bethel churches had lost two dynamic leaders who were not easily replaced. Yet, the political struggles continued under the leadership of laymen such as Bell, motivated by the black community's own desire to resist white prejudice.<sup>29</sup>

Throughout the 1850's and especially the early 1860's the black churches in San Francisco had firmly established themselves as religious institutions, which continue to serve the black community today.<sup>30</sup> But, of even greater importance, the churches and their pastors had established a tradition of social and political involvement in community affairs. They provided the black community with education and recreational programs, economic assistance to the needy, meeting facilities, and active political leadership. They were instrumental in pressuring the California state legislature to repeal the anti-black testimony and witness laws. As E. Franklin Frazier said of the black churches during the Civil War period, they played an "important role in the organization" of the black community and provided an "important arena for political life" among black people.<sup>31</sup> The political activities of the black churches and their religious leaders in San Francisco clearly indicate the truth of his statement.

#### NOTES

1. Joseph R. Washington, Jr., *Black Religion: The Negro and Christianity in the United States* (Boston, 1964), 296.

2. San Francisco *Bulletin*, January 14, 1865, p. 5; Third Baptist Church, *Our Souvenir Book* (San Francisco, 1967), n.p. In 1852-1853, there were approximately twenty churches of all denominations in San Francisco. See San Francisco *Directory*, 1852, p. 69 and 1852-53, pp. 20-21.



3. San Francisco *Directory*, 1852-65; Bethel AME Church, *Centennial Celebration Bethel AME Church* (San Francisco, 1952), 3-4; *Bulletin*, January 14, 1865, p. 5.
4. San Francisco *Directory*, 1852-1865; San Francisco *Pacific Appeal*, January 17, 1874, p. 1; AME Zion Church, *The Centennial Year* (San Francisco, 1952), 4; Delilah L. Beasley, *The Negro Trail Blazers of California* (Los Angeles, 1919), 158-159.
5. In San Francisco, both black and white churches were establishing themselves in the 1850's. By the 1860's, these churches had accumulated some wealth and were expanding the sizes of their buildings. See San Francisco *Directory*, 1852-1871.
6. Rudolph M. Lapp, "The Negro in Gold Rush California," *The Journal of Negro History* (JNH), XLIX (April, 1964), 84-85; William P. Humphreys, compiler, *Atlas of the City and County of San Francisco* (Philadelphia, 1876), 7, 10-11, 18-19.
7. The files of the *Bulletin* give numerous examples of church activities. See especially, *Bulletin*, December 21, 1861, p. 3, February 13, 1862, p. 3, March 7, 1862, p. 3, January 2, 1865, p. 3, and January 9, 1865, p. 3.
8. *Pacific Appeal*, September 26, 1863, p. 2.
9. *Bulletin*, September 23, 1862, p. 3; *Pacific Appeal*, October 25, 1862, November 1, 1862, p. 2, December 13, 1862, p. 2, July 11, 1863, p. 3, July 25, 1863, p. 2, and August 1, 1863, p. 2. For a brief biographical sketch of Rev. King, see Horace Davis, *Fifty Years of the First Unitarian Church* (San Francisco, 1901), 57-63.
10. *Pacific Appeal*, August 15, 1863, p. 2. For a brief biographical sketch of Dr. Johnson, see Philip M. Montesano, "The Amazing Dr. Ezra Johnson," *Urban West*, 1 (January-February, 1968), 21-22.
11. *Bulletin*, December 18, 1861, p. 3; San Francisco *Alta California*, December 19, 1861, p. 1.
12. *Pacific Appeal*, October 25, 1863, p. 2, October 31, 1863, p. 4, and November 7, 1863, p. 3.
13. *Bulletin*, June 1, 1864, p. 3, September 19, 1864, p. 3, and September 20, 1864, p. 3.
14. *Bulletin*, December 10, 1864, p. 3.
15. E. Franklin Frazier, *The Negro Church in America* (New York, 1963), 46, 83-86; Carter G. Woodson, *The History of the Negro Church* (Second edition, Washington, 1945), 164-179.
16. J. Ross Browne, *Report of the Debates in the Constitution of California* (Washington, 1850), 43, 61-75, 137-152, 330-341; Woodrow J. Hansen, *The Search for Authority in California* (Oakland, 1960), 166-174.
17. *Statutes of California*, 1850, p. 230; *Assembly Journal*, First Session, 1850, p. 1001; *Senate Journal*, First Session, 1850, p. 289.
18. *Assembly Bill No. 57*, 1851, California State Archives.
19. Lapp, "Negro Rights in Gold Rush California," *California Historical Society Quarterly* (CHSQ), 45 (March, 1966), 12-13; Eugene H. Berwanger, *The Frontier Against Slavery* (Chicago, 1967), 76. Leon F. Litwack, *North of Slavery* (Phoenix ed., Chicago, 1965), 93-94, indicates the patterns of anti-black laws passed in Illinois, Ohio, Indiana, and Iowa and the relationship to the California situation. California followed the leadership of these states in its legal discriminatory practices.
20. *Proceedings of the First State Convention of Colored Citizens of the State of California* (Sacramento, 1855), 14-17; Mifflin W. Gibbs, *Shadow and Light* (Washington, 1902), 44-45, 47, 63; Lapp, "Negro in Gold Rush California," JNH, XLIX (April, 1964), 93, 95-96, "Negro Rights Activities in Gold Rush California," CHSQ, 45 (March, 1966), 7-9, and "Jeremiah Sanderson: Early California Negro," JNH, 53 (October, 1968), 325. See also, Beasley, *The Negro Trail Blazers*, 54-56. The San

San Francisco *Mirror of the Times* commenced in 1856. It appears that the paper lasted for about two years. There appear to be only two existing issues, one in August and one in December of 1857.

21. Lapp, "Negro Rights Activities in Gold Rush California," *CHSQ*, 45 (March, 1966), 8-17 and "The Negro in Gold Rush California, *JNH*, XLIX (April, 1964), 94-98; Litwack, *North of Slavery*, 31, 49-51; Beasley, *Negro Trail Blazers*, 54-60; *Proceedings*, 1856, pp. 12-13, 30, 34-35; *Pacific Appeal*, May 3, 1862, p. 2. For the movement to British Columbia, see F. W. Howay, "The Negro Immigration into Vancouver Island in 1858," *British Columbia Historical Quarterly*, 3 (April, 1939), 101-113, and Gibbs, *Shadow and Light*, 63.

22. San Francisco *Lunar Visitor*, February, 1862, p. 2; *Petition to Allow Negroes to act as Witnesses in Legal Actions*, Manuscript, California Historical Society Library, San Francisco.

23. *Pacific Appeal*, April 19, 1862, p. 2. See also the files of the *Pacific Appeal*, 1862-63, for other editorials and for community discussions of the problem.

24. Berwanger, *Frontier Against Slavery*, 73-77; Mary R. Coolidge, *Chinese Immigration* (New York, 1909), 62-64; S. W. Kung, *Chinese in American Life* (Seattle, 1962), 71-72; Gunther Barth, *Bitter Strength: A History of the Chinese in the United States 1850-1870* (Cambridge, Mass., 1964), 136, 144-145. The figures in the text were compiled from Francis A. Walker, *A Compendium of the Ninth Census, June 1, 1870*, (Washington, 1872), p. 12 and Thomas W. Chinn, ed., *A History of the Chinese in California: A Syllabus* (San Francisco, 1969), 21.

In his book, Berwanger points out that up to the early 1860's the Chinese in California were denied their civil rights because legislators feared that granting them rights would create a precedent for extending them to the more-despised black people. This view contrasts with that of Chinn. On pages 23-26, Chinn indicates how the attitudes toward the Chinese changed in the early 1850's from welcome to strong dislike. This is clearly illustrated in the series of anti-Chinese laws passed from 1850-1879. From Chinn's analysis, it would appear that as the number of Chinese increased so did racial antagonism. For the blacks, this meant that the white community would view them as a lesser threat (because of their small numbers) than the Chinese.

25. *Senate Journal*, Fourteenth Session, 1863, pp. 67, 119, 131-132, 316; *Assembly Journal*, Fourteenth Session, 1863, pp. 312-313, 316, 336; *Statutes of California*, 1863, pp. 60, 69; *Pacific Appeal*, March 21, 1863, p. 2.

26. San Francisco *Elevator*, May 19, 1865, p. 3; *Proceedings*, 1865, pp. 15-19, 22, 26-28.

27. *Statutes of California*, 1880, pp. 47-48; *Elevator*, June 26, 1868, p. 2.

28. *Elevator*, November 16, 1872, p. 3. Rev. Ward became the Bethel AME Bishop of California in 1868.

29. A good example of the community's actions occurred during the school crisis of 1868-69. With the lay leadership somewhat divided, community parents decided to boycott the move of the black school to an old run-down building. They simply refused to send their children to that school. For more information, see the files of the *Bulletin*, 1868-1869. Philip A. Bell, one of the main lay leaders of the San Francisco community, remained active in the community almost up to the time of his death in 1889. The *Bulletin*, April 26, 1889, p. 3 contains a notice of his death.

30. The three churches are presently located at 1399 McAllister St. (Third Baptist Church), 970 Laguna St. (Bethel AME Church), and 2159 Golden Gate Ave. (AME Zion). For more information about recent church activities, see the Third Baptist Church, *Our Souvenir Book*; Bethel AME Church, *Centennial Celebration Bethel AME Church*, and AME Zion Church, *The Centennial Year*.

31. Frazier, *The Negro Church*, 83.

*Brian McGinty*

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of numerous articles on wide-  
ranging subjects.*

## Charles Warren Stoddard: The Pleasure of His Company

IT HAD BEEN NEARLY THIRTY YEARS since Charles Warren Stoddard had last seen Monterey. He had come on a coastal steamer in the fading autumn of 1878, climbing ashore at the old wharf in the dead of night and shivering his way through sandy streets to a room at Girardin's lodging house. His visit had been short. After only a few weeks, he had left the sleepy village to return to his cluttered flat on a sandy hillside in San Francisco. But the sights and sounds and smells of the old seaport had indelibly marked the sensitive young poet, and, in the eventful years that followed, he could never forget them. When he descended from the train at Monterey station in the twilight glow of July 12, 1905—portly, now, and with a silky white beard—Stoddard felt a sharp but unmistakable sensation. The wanderer had, at last, come home.<sup>1</sup>

Monterey had changed, to be sure. There was a bustle in the evening air, and a larger crowd—or so it seemed—than he had seen in the old town before. The faces were strange, and excited voices twanged with strident Yankee inflections. But Stoddard was not daunted. He wanted, above all, a setting in which to rest and reflect—and, perhaps, to find consolation for his lonely heart. Where else in all the world could he better do that than in Monterey, the legendary capital of old California?

From the station he went to the doors of the city's newest inn, the imposing Monterey Hotel on Alvarado Street. There he dined on a hearty meal, retired to a cheery room, and, as he recorded in his diary the following morning, "slept beautifully."<sup>2</sup>

It was in Rome in 1877 that Charlie Stoddard wrote: "As for myself, I have torn up my roots so often that they do not strike into any soil with much vigor."<sup>3</sup> There was no Bedouin blood in his veins. But, from the first, the nomad impulse was as strong as if he had been born in a gypsy caravan, and he had traveled as much in his sixty-two years as a dozen usual men. Author of half a score of books of prose and verse, friend and confidant of the brightest lights of late nineteenth-century letters, he remained best known as literature's rolling stone, an ingratiating but inveterate wanderer with silky beard and notebook.

Charles Warren Stoddard had been born on August 7, 1843, in Rochester, New York, to an old New England family that included such diverse mem-



bers as Jonathan Edwards and Aaron Burr.<sup>4</sup> With his family, he crossed the Isthmus of Nicaragua in 1855, arriving at the age of twelve in San Francisco, a sensitive youth dazzled by the exuberance of the frontier metropolis. With an older invalid brother, he returned to New York two years later. There he lived with his grandparents, stern and Hell-fearing evangelical Protestants. An uncle stood in the house and sang in mournful tones, "On slippery rocks I see them stand, while fiery billows roll below."<sup>5</sup> "I was threatened with nervous prostration," Stoddard later recalled, "and every hour I grew more feeble and excited."<sup>6</sup> In 1859 he returned to San Francisco by way of Panama, and was again enrolled in school. But it soon became apparent that his mind was too troubled for any but the slightest concentration. With his parents' consent, he left school to look for work.

The search was not easy. He spent a week in a clothing store, a month in a toy shop, and, finally, two and a half years in the book store of C. Beach. There, at last, he found friends in the rows of dusty volumes that lined the walls. And there were pleasant hours that could be stolen for scribbling bits of verse. His sketches were offered, shyly, under the alliterative pseudonym "Pip Pepperpod" to San Francisco's leading literary journal, *The Golden Era*. Stoddard was surprised and encouraged when they were accepted. Soon after the first verse appeared, he was visited at the store by Thomas Starr King, Unitarian minister and literary leader of the frontier city. King had learned the identity of "Pip Pepperpod" and generously praised the young poet. He invited Charlie to his series of lectures on Longfellow, Bryant, Holmes, and Whittier, each of whom had sent him an unpublished poem to read at the lectures, and urged that the boy leave his job and return to school.<sup>7</sup>

He resumed his studies, first in San Francisco, then across the bay in Oakland's Brayton Hall. But he avoided football and sprinting and could not fathom the secrets of ancient history or the mathematical method. He savored the rolling rhythms of Tennyson and passed his hours scribbling iambic rhymes and double quatrains. But he found that the ogre routine could not forever be avoided. His old nervousness returned. His classes became a horror. Then he suffered a nervous breakdown.

His sister had married a Hawaiian planter and gone to live in what was then the Sandwich Islands. "Ever since my first journey across the Isthmus, through Nicaragua," Charlie later recalled, "my memories had been haunted by visions of the forest jungles where the wild parrot screamed and the monkeys swung from bough to bough with the ease and grace of trained athletes; where the placid river flowed under a mantle of flowering foliage." Following their doctor's advice, the family decided to send him to Hawaii to try to recover his health. In 1864 he sailed on a clipper outbound from the Golden Gate on what he later called "a cruise that was destined to influence the whole course of my life."<sup>8</sup> Indolent months on the sunny beaches of the islands and romps with native boys in coconut palms all had their

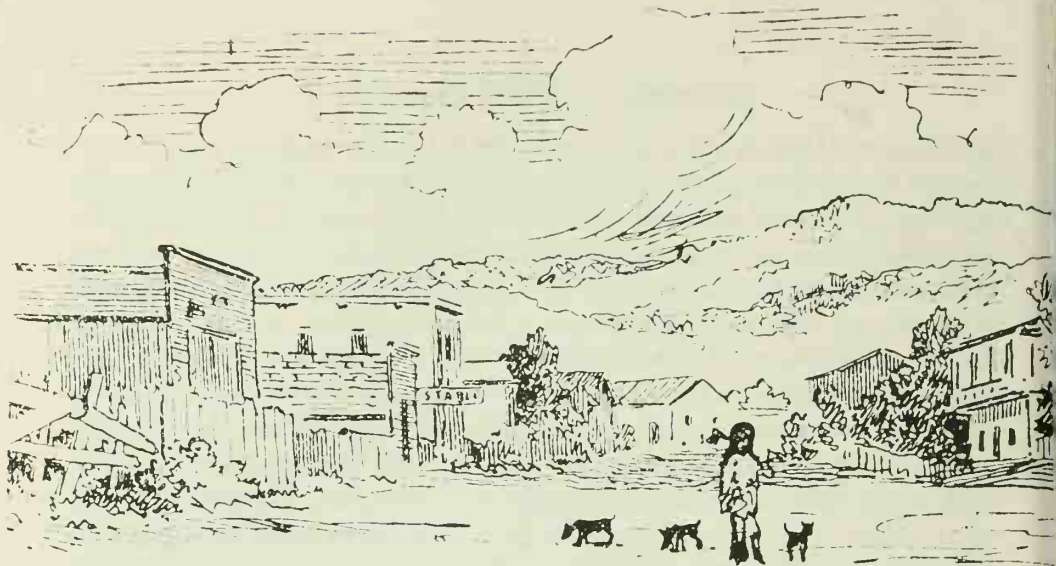
desired effect. He lost track of time on the face of a volcanic peak. "How long did I stay there in the mountain heights," he later asked, "among the mysteries undreamed of in that world below? Well, really, I cannot tell you. No one kept tally up yonder; and as for pinning me down to so fine a point, I'd as soon think of someone who had been in Paradise for a while suddenly sitting up and asking, 'What time is it?'"<sup>9</sup> It was then, perhaps, that he decided, as he later confided to a friend: "I'd rather be a South Sea Islander sitting naked in the sun before my grass hut, than be the Pope of Rome."<sup>10</sup>

Charlie had nothing against the pope. He was, in fact, strongly attracted to the Roman church—its solemn ritual, its vestments and incense, its venerable traditions steeped in the antiquity of Christendom. He was troubled, and the Church's self-assured promise of an eternity peopled by angels and archangels, cherubim and seraphim, spoke lovingly to his Puritan-starved soul. "What shall I do to be saved?" he asked on his return to San Francisco. In 1867, at the age of twenty-four, he answered the question. He converted to the Catholic church.

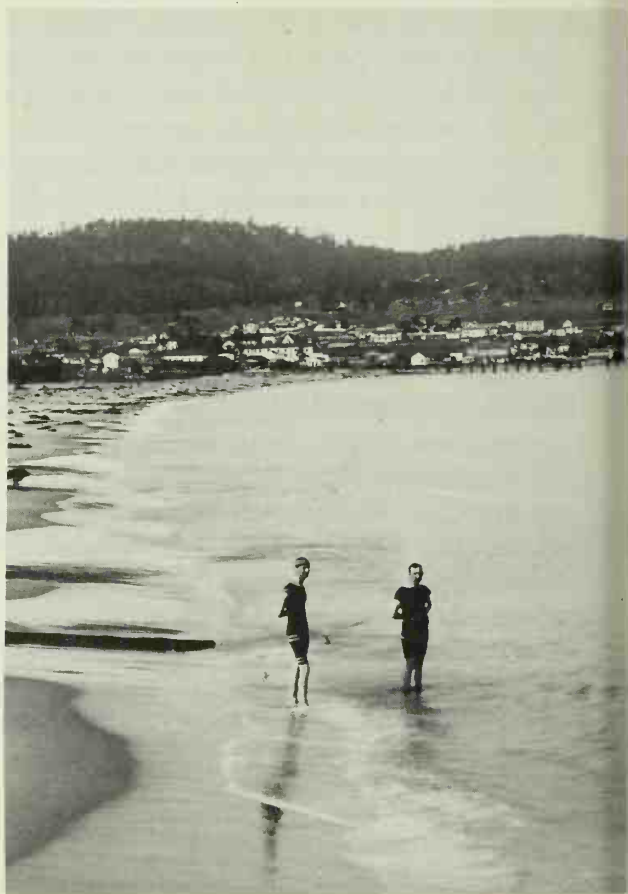
Charlie Stoddard continued to write and contribute to local journals. With a quick smile, a shy but gracious personality, and a sensitive gift for the use of words, he met and became friends with the leading artists and writers of the city. It was in 1867 that his friend, the publisher Anton Roman, collaborated with yet another friend, Francis Bret Harte, and still another friend, the celebrated artist, William Keith, to issue a sumptuous illustrated edition of the *Poems* of Charles Warren Stoddard. The slender volume, elegantly bound and stamped in gold, created a spirited controversy. Charlie himself had retired to the fastness of Yosemite at the time of publication. When, at last, he came down from the mountain, he allowed that the publication had been premature, and that his forte might lie more in prose than in verse.

It was Charlie Stoddard who, in June of 1870, greeted the moccasined and sombreroed judge-turned-poet, Joaquin Miller, when he arrived by steamer in San Francisco. "He must have grown up like a weed, off yonder in Oregon," Stoddard observed. No sooner had they exchanged greetings than Miller proposed, "Well, let us go and talk with the poets!"

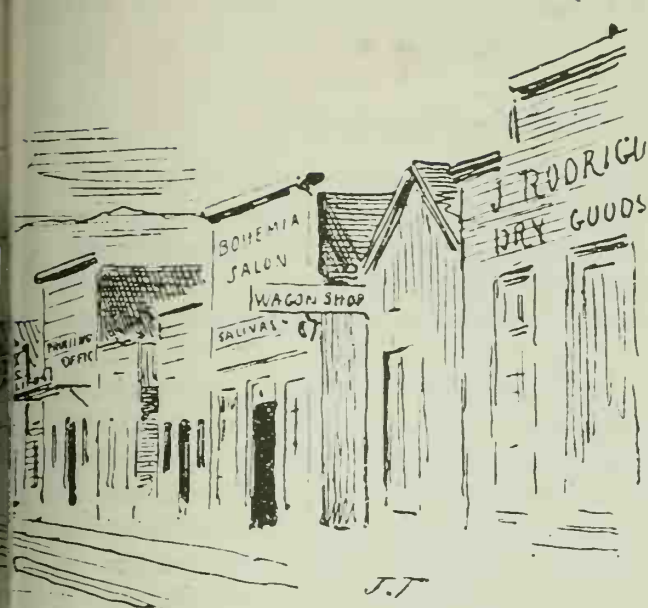
His closest friend, then as in later years, was the poetess Ina Coolbrith. Miller described her as "divinely tall and most divinely fair."<sup>11</sup> Ina, in turn, was drawn by Charlie's soft blue eyes and curly brown hair, which excited her maternal instincts. When Anton Roman asked Bret Harte to edit a new magazine which he proposed to publish, Harte went to Charlie and Ina and exacted their promises to make regular contributions. Each owned a key to the journal's office on Portsmouth Square, and, when they gathered in the little room, wit and geniality sparkled. Soon they were admiringly referred to as "The Golden Gate Trinity."<sup>12</sup> The first issue of *The Overland Monthly* appeared in July, 1868, with Stoddard's poem, "In the Sierras." Harte's short



The romantic young Stoddard (left) found Monterey more appealing for its old Spanish flavor and grace of living than for its celebrated natural beauty and ocean beach (below). *Society of California Pioneers; California Historical Society.*







In 1878 when Charles Stoddard first debarked from a coastal steamer at Monterey, broad Alvarado Street (left) was the shop-lined but sleepy thoroughfare of the old Spanish capital. As pictured in *The Argonaut*, October 26, 1878, the street's main fixtures included a Bohemia Saloon and beaux arts center.

For a time Stoddard and his friends stayed at the Girardin home and boarding house (right), a damp, cavernous building which became known as the Stevenson house after the author's stay there the following year.  
*California Historical Society.*



story, "The Luck of Roaring Camp," appeared in the second number and attracted instant acclaim. "The Outcasts of Poker Flat" followed, then "Tennessee's Partner," "Brown of Calaveras," and a whole series of California tales that delighted readers with a fresh mixture of realism and sentiment.

Stoddard returned to Hawaii for a visit in 1868. From there he contributed to the *Overland* an exotic prose poem called "Chumming with a Savage," based on his island experiences. "Now you have struck it!" Bret Harte told him.<sup>13</sup> In sensuous, exotic prose, Stoddard painted a bizarre but alluring portrait of the islands. He visited Tahiti in 1870 and was in Hawaii again in 1872, all the while placing more sketches in the *Overland*, and others in the *Atlantic*, *Lippincott's* and *Galaxy*. William Dean Howells, editor of the *Atlantic*, accepted a story called "A Prodigal in Tahiti." Howells thought highly of the island stories, and later wrote to Charlie: "You knew long ago

how I delighted in those things, the lightest, sweetest, wildest, freshest things that ever were written about the life of that summer ocean. I believe I was the first to feel their rare quality, and I hope you won't correct me if I wasn't, for I have always been proud of it."<sup>14</sup> By the fall of 1873, a collection of Stoddard's tropical sketches was published in Boston under the title of *South-Sea Idylls*.<sup>15</sup>

In October, 1873, Charlie sailed from New York for England, where he arranged for the British publication of his book and wrote letters of his travels to the *San Francisco Chronicle*. He slept in Anne Hathaway's cottage and in London greeted Mark Twain, whom he had first met in San Francisco. The humorist was then lecturing, and, as Stoddard remembered: "He seized me at once and said how nervous and miserable he was—and I guess he was as lonesome as I—and that, if he was to continue to make a success of the lectures, I'd have to stay with him. 'Let your letters go for a while; I'll pay your salary and you just come and companion me.' And that was all there was to it. I just had to go."<sup>16</sup>

They breakfasted on chops and went for long walks in the afternoon. At eight o'clock Twain appeared on stage, as Charlie remembered, "rubbing his hands in the manner of Lady Macbeth, and bowing repeatedly."<sup>17</sup> At the Langham Hotel, they exchanged memories of San Francisco, talked of Hawaii, of Hannibal, Missouri, and of the Mississippi River. "I could have written his biography at the end of the season," Stoddard said.<sup>18</sup> Twain was restless. When he could not sleep, he mixed exotic cocktails, saying: "That certainly was a horrible mess, Charley. My, my, what a fearful taste it's left on my tongue. I've got to make another to take that awful taste out of my mouth." He continued the process interminably, his speech meanwhile getting slower and slower. Stoddard finally went to bed, remembering "the last picture I'd have as I dropped off to sleep was of Mark bending over me, glass in hand, uttering the second syllable of a word he began a full minute ago. It was wonderfully funny."<sup>19</sup>

When Twain returned to the United States, Stoddard crossed over to the continent. He chummed with the expatriate Joaquin Miller in Rome and broke his arm while riding horseback on the campagna. He moved in the inner circles of the Catholic church and twice payed his respects to the pope.<sup>20</sup> He visited Joe Strong, a young California artist then studying in Munich, and sat for a portrait. Already, he was thinking of ending his days in some rose-embowered Italian monastery. Appropriately, Strong painted Charlie as a monk. From Europe, he drifted to the Holy Land, Suez and Egypt.

He was back in California in 1878, once more a leading member of San Francisco's Bohemian colony. It was with Joe Strong, now back from Munich, L. G. J. de Finod, a "wild French academician and a mighty hunter," and Fred Somers, editor of San Francisco's lively journal *The*

*Argonaut*, that Charlie first came to Monterey in September of 1878.<sup>21</sup> They were greeted at the wharf by the old town's resident Bohemian, the painter Jules Tavernier, who "from the planks above fairly howled out a welcome."<sup>22</sup> Dr. J. P. E. Heintz, newly married to the daughter of Jean Girardin, escorted the visitors to his father-in-law's home, a great "barn-like building"<sup>23</sup> which doubled as a boarding house, where the gaunt Robert Louis Stevenson was to lodge the following year. In the legendary back room of Jules Simoneau's restaurant on the Monterey plaza, they breakfasted on raw sardines, cantaloupes and "shuddering wine."<sup>24</sup> They declined to remain in the damp chambers of the Girardin house where, Charlie said, "every sound was shared in common, and nothing whatever was in the least degree private or confidential,"<sup>25</sup> and moved to the St. Charles Hotel, "a summer house without windows, save the one set in the door of each chamber."<sup>26</sup> At length they persuaded Lizzie and Nolie Strong, Joe's sisters, who had rented a whole adobe on Alvarado Street, to provide them with regular meals. They found rooms in the *casa* of Jacob P. Leese, originally built by Thomas O. Larkin. "Broad verandas surrounded us on four sides," Stoddard wrote; "the windows sunk in the thick walls had seats deep enough to hold me and my lap tablet full in the sunshine—whenever it leaked through the fog."<sup>27</sup>

The Bohemians threw open the doors of the Strong menage, from which they sent out cards, "redolent with tea and brown soap," inscribed:

#### The Invitation

You are most cordially invited to meet the San Francisco Embassy at the summer residence of the Misses Strong, on Sunday afternoon, to participate in a "Bohemian blow out," given after the most approved and *distingué* fashion. Hereof fail not.  
R. S. V. P.

Adobe Palace, Alvarado Avenue,  
September 29.<sup>28</sup>

Stoddard stayed in Monterey only a few weeks. But it was apparent that there was an affinity between the old town and Charlie, a chemical harmony between host and visitor, subject and admiring artist. "Here I began to live," he wrote of the Leese adobe; "here I heard the harp-like tinkle of the first piano brought to the California coast; here also the guitar was touched sensitively by her grace the august lady of the house, who scorned the English tongue—the more eloquent and rhythmical Spanish prevailed under her roof."<sup>29</sup>

Strong and Tavernier were in Monterey in 1879 when Stevenson came there, thin and lovesick, but Charlie did not meet the bony Scot until 1880. They were then both in San Francisco, Stoddard ensconced in his "plover's nest" on the side of Rincon Hill, and Stevenson, waiting for the divorce of Mrs. Osbourne, in a rooming-house on Bush Street. Stoddard, Stevenson wrote, was "a certain San Francisco character, who had something of a name



beyond the limits of the city, and was known to many lovers of good English."<sup>30</sup> Wandering the streets and alleys of the misty city, as was his lonely wont, Stevenson came on what he called "a new slum, a place of precarious, sandy cliffs, deep, sandy cuttings, solitary ancient houses, and the butt-ends of streets. It was already environed." He climbed a hill, crowned with a row of houses, each with a bit of garden. In front of the last of the houses, he sat down to sketch. "The very first day I saw I was observed, out of the ground-floor window, by a youngish, good-looking fellow, prematurely bald and with an expression both lively and engaging. The second, as we were still the only figures in the landscape, it was no more than natural that we should nod. The third, he came fairly out from his entrenchments, praised my sketch, and with the impromptu cordiality of artists carried me into his apartment."

Such a chamber Stevenson had never seen. It was a "museum of strange objects,—paddles and battle-clubs and baskets, cocoanut bowls, snowy cocoanut plumes—evidences of another earth, another climate, another race, and another (if a ruder) culture."<sup>31</sup> It was the Scot's first sight of the trappings of the trade wind seas. Charlie gave him a copy of *South-Sea Idylls*—and presented him with a copy of Melville's *Omoo*.<sup>32</sup> He talked of his tramps in the islands, his tranquil months in the grassy splendor of native shacks. "You can imagine with what charm he would speak, and with what pleasure I would hear," Stevenson wrote. "It was in such talks, which we were both eager to repeat, that I first heard the names—first fell under the spell—of the islands."<sup>33</sup>

Stevenson called often at Stoddard's "plover's nest" on Rincon Hill. When Charlie was away, which was often, the gaunt Scot fumed, then pinned a lament to the door:

O Stoddard! in our hours of ease,  
Despondent, dull and hard to please,  
When coins and business wrack the brow  
A most infernal nuisance thou!

O Stoddard! if to man at all,  
To me unveil thy face—  
At least to me—  
Who at thy club and also in this place  
Unwearied have not ceased to call,  
Stoddard, for thee!

I scatter curses by the row,  
I cease from swearing never;  
For men may come and men may go,  
But Stoddard's out for ever.<sup>34</sup>

Stevenson's association with the Bohemian colony in San Francisco remained casual; Stoddard was a more regular member. Jules Tavernier and

Joe Strong had returned to the city from Monterey and established a studio, hung with tapestries and bizarre Indian trophies. Stoddard often slipped into the studio while Joe was painting. He seated himself at the piano and began to play. Belle Strong, Joe's wife and soon to become Stevenson's step-daughter, was fascinated by Charlie's playing. It was a curious repertoire of haunting melodies he had heard in his travels. If there was an audience, he told stories as well. Belle wrote: "While he talked in his beautiful voice he played softly on the piano so that I remember what he told us as poems set to music."<sup>35</sup>

Belle could never forget the day she met Stoddard. "He was a tall man with fine features," she wrote many years later, "and he had an unusually musical voice. When he met me, he held out both hands and said in that foolish but very genuine way of his, 'Belle, love Charley!' And I did from that moment to the end of his life."<sup>36</sup>

The truth was that Charlie Stoddard wanted nothing more in the world than love, and there was nothing he found harder to find. He was as close to Ina Coolbrith as to any woman, but they both knew that marriage was out of the question. He did not precisely understand his feelings, but he was sure the world would not, if it knew. His friend, Charles Phillips, approximated the truth when he wrote: "If the Eternal Feminine is an unremitting question mark, then Stoddard should have been born a woman. He has—is—a woman's soul in all its strange and endless changeableness."<sup>37</sup> Charlie may once have proposed marriage. At least so he suggested in his autobiographical novel, *For the Pleasure of His Company*. Whether it was to Ina or another girl, it didn't matter. It was the "kind of proposal one might decline without injuring a fellow's feelings in the least." And he was wonderfully relieved when she "let him down,"—as he said, "most beautifully"—and added: "You see when I like a girl ever so much, I seem to like her too well to marry her."<sup>38</sup> Thus he spent long hours alone, alternately wrestling with fits of depression and consoling himself with self-searching prayer.

Though his faith retained a flavor of unorthodoxy, Charlie found, more and more, that he could rely on the Church in his hours of anguish. Mark Twain, who thought Stoddard was the "purest man" he had ever known, wrote him in 1885: "I look back with the same shuddering horror upon the days when I believed I believed, as you do upon the days when you were afraid you did not believe."<sup>39</sup>

Charlie had been three years in California when he resolved to resume his Odyssey and left once again for the Pacific islands. While in Hawaii, he received an invitation to lecture on English literature at Notre Dame University. The prospect of conforming to an academic routine appealed little to his carefree nature, but the promise of a regular income, which his writing had never provided, prompted him to go. Soon he was writing to Belle Strong from Notre Dame: "The dear boys come to classes tired from playing

football and I deliver my lecture in such a gentle monotone that they sleep peacefully. I am very popular."<sup>40</sup>

His first summer was spent in Alaska and the second in Kentucky, where he fell ill. Unable to return to school, he stayed for two years in Kentucky, then departed for another trip to Europe. In Rome he accepted an invitation from Bishop John J. Keane, rector of Catholic University of America, to assume the chair of literature at Washington, D.C.

Stoddard continued to publish books—memories of Father Damien and the lepers of Molokai, journals of his travels to Egypt and Alaska, more reminiscences of his languid days in the tropics, and a reverent, nostalgic essay called "A Memory of Monterey." He maintained an extensive correspondence with friends and acquaintances all over the world. Thus, from Stevenson in Switzerland:

"Let me assure you, you who have made friends already among such various and distant races, that there is a certain phthisical Scot who will always be pleased to hear good news of you . . ."<sup>41</sup>

And this from Mark Twain, then visiting in Vienna:

"Dear Charley,

"I've almost forgotten to tell you that one of my books was written by your order. Years ago in the train bet. Baltimore and Washington you told me I must write a serious book. I tho't it over and I concluded to risk it, and I wrote the Joan of Arc."<sup>42</sup>

After several years at the university's Divinity Hall, Charlie found a bungalow in Washington, which he called "St. Anthony's Rest." He lived there with Kenneth O'Connor, a young man he lovingly called his "kid." For a while, he was content. Then Ken grew unhappy and began to drink. Charlie was reduced to hiding bottles of liquor, but in vain. Ken always found them and drank himself to insensibleness. Stoddard's own health wavered. His lectures became a horror, and his attendance at classes and faculty meetings was irregular. Finally, in 1901, he was summoned to the office of the rector and told that the faculty had voted to terminate his services, effective, September, 1902. "Well I went home and I was glad," he confided to his journal. "That ends a dream that had become a night-mare," he wrote. "The first of the thirteen years settled the business of the varsity and proved beyond a shadow of a doubt that there can be *no* Catholic university, for all Catholic educational institutions are religious fakes and the C. U. of A. is priest-ridden."<sup>43</sup>

The three years that followed his departure from the university were lived in a half-conscious dream. For a year, "perhaps the most miserable of my whole life,"<sup>44</sup> he stayed with Ken O'Connor and his mother in a house in Washington. He went to New York, where he was the guest of Frances Hodgson Burnett, author of *Little Lord Fauntleroy*.<sup>45</sup> Then his friend,



Willie Woodworth, took him to Cambridge, Massachusetts, where, on the banks of the Charles River, he fell ill and nearly died of "congestion of the brain." At last, with Woodworth, he returned to California, arriving in San Francisco on April 3, 1905.<sup>46</sup>

It had been more than twenty years since he had called the misty city his home—the metropolis that had once entranced and beguiled him with its meandering alleys and rows of ramshackle houses, clinging for life to the slopes of sandy hills. Both the city and Stoddard had changed. "San Francisco I cannot stomach," he wrote dyspeptically but honestly. "It goes quite against the grain."<sup>47</sup>

"I hope to drift down the southern coast," he wrote in his journal, "and swing into an eddy—a priest's garden and veranda, in an old adobe mission village, where one lisps Spanish, indulges in the siesta; makes worry over the mass-wine; in the legends of the past are the joys of the present. Where the tinkle of guitars—the quivering, vibrant-rhythm that seems to play upon the heart-strings—and the clack-clack of castanettes are heard in the land; and where," he added with a touch of poetry mixed with prophecy, "one at last dies in the odour of sanctity and cigarettes."<sup>48</sup> Charlie Stoddard boarded the train and headed for Monterey.

He awoke in his bed at the Monterey Hotel on the morning of July 13 with a feeling of mixed contentment and excitement. He had "slept beautifully," but was anxious to be up and begin an inspection of the town. And inspect he did, for the weeks and months that followed, faithfully and indefatigably.

It had been twenty-seven years since he had seen the old town. In that time, even Monterey had changed. There were tall brick buildings on Alvarado Street, where adobes had snuggled in the sand. The shiny, twin tracks of an electric trolley snaked from the Custom House, up Alvarado, and away on Pearl toward the grandiose spires of the Del Monte Hotel. But there were enough balconies, and roses, and grated windows to nurture his nostalgia. He went to the Girardin adobe, now known as the "Stevenson House," in honor of the writer's sojourn there in 1879. He watched dancers at the Custom House, then used as a ballroom, and stopped to reflect at Simoneau's old restaurant, now a bakery, "where Jules Tavernier, Joe Strong, Julian Rix, Fred Somers and I used to dine before Stevenson's day—just before it."<sup>49</sup>

By July 22 he was cosily ensconced in a room on the second floor of the *Casa Verde*, a green frame house embowered with roses, that stood close by the old Whaling Station and "California's First Brick House," and a stone's throw from the ancient Custom House and wharf.

He called at the cottage of Jules Simoneau, in a forest of fuschias on Van Buren Street. The old Frenchman sat in a rocking chair, "a little old man, rather poorly dressed and with a faded felt hat upon his head." He opened a copy of Stoddard's book, *In the Footprints of the Padres*, fingered it slowly,



By the time Stoddard returned to Monterey in 1905, Alvarado Street (above) was bustling with Yankees, trolley lines, a sardine-canning factory, and the conveniences made possible by utility poles. *California Historical Society.*

and turned to the chapter called "A Memory of Monterey." "Yes, they were good times," old Jules mused. "Monterey was the home of Bohemianism!" He said of himself: "I am not sick; I cannot complain; I am eighty-five and I do not expect to live much longer. I do not worry; I do not wish for anything I cannot have; and there is enough to eat and drink; I am a great-grandfather and I am a philosopher!" Stoddard agreed: "Surely he seems one in the best sense of the word."<sup>50</sup>

Simoneau kept letters from his devoted friend Stevenson which, Stoddard allowed, "would command a high price in the market, even if they were only published and the originals were in his hands." It was apparent to Stoddard that old Jules could use the money. But the Frenchman summarily refused the suggestion. "It would not be honorable to publish," he said. "Not gentleman-like."<sup>51</sup>

He visited with the painter Charles Rollo Peters, master of brooding nocturnes, who was now Monterey's artist-in-residence and lived in a balconied home on a hill overlooking the bay. In Pacific Grove, adjoining Monterey, he visited with Fred Woodworth and renewed his friendship with Joe Strong's sisters. In Carmel he was entertained at the home of Frank Powers, one of the promoters of the fledgling village, whom Stoddard found "rather wild." Powers offered to give Charlie any piece of land he wanted, if he would move to Carmel and edit a newspaper. But Stoddard was not interested. "No new experiments for me," he wrote in his journal; "no new ventures in any sphere whatever. Moreover, my time for the next year is promised and I hope to do some good work." The work he had promised was a monthly contribution to the *National Magazine*.



In suit and dapper hat, Stoddard met (right) with old bohemian friend and author Joaquin Miller and the young poet George Sterling, before restlessly heading north to the San Jose area. But in late 1906, the melancholy poet returned, resigned "to linger on in this old town—which has lost all its charm—to the end." *Bancroft Library, University of California, Berkeley.*



"Dear Charley Stoddard!" George Wharton James wrote. "There was ever at war within his soul two opposing forces. Today he was a sombre monk, ascetic, devout, religious; tomorrow a gay cavalier, frolicsome, reckless, epicurean. He was either on the mountain tops of joy or sitting on the stool of repentance, clothed in sackcloth and ashes."<sup>52</sup> Yet, however low his spirits might sometimes be, he was always able to rally, and to reflect philosophically on his own indispositions. "Am I emotional?" he queried in his notebook. "I have to be. It is my only gymnastic. If I were not emotional I should stagnate or die of a green scum."<sup>53</sup>

Perhaps Charlie realized that his career as a writer had not fulfilled the bright promise of his youth. There was a lyric tenderness in his prose, to be sure, and a rare sensitivity for the sound and color of language. Few could match the imaginative perception of his descriptions, and his nostalgic evocations of the old days of Monterey and San Francisco recalled much of the mannered charm of Washington Irving, the sensitive colorist of old New York, with whom Charlie had more than a little in common. But Stoddard's work lacked the vision and strength required to give it real substance. All



too often, his style was florid and annoyingly self-conscious. He had had little impact on the literature of his generation, and he remained best known for his associations with Harte and Twain and Stevenson. Though he never approached the success of these writers, he enjoyed their admiration. His old friend, Joaquin Miller, had achieved greater fame than Charlie, with his eccentric manners and bombastic verse, and every schoolboy for two or three generations knew the exhortations of his famous poem, "Columbus." But Miller was a sincere admirer of Stoddard, and knew, as well as anyone, that when Charlie was good, he was very good. In the margin opposite one of the verses in Stoddard's *Poems*, Joaquin had written in his scrawling handwriting: "Who of us has done so well?"<sup>54</sup>

In the fall of 1905, Stoddard met Joaquin and the young poet, George Sterling, at the *El Adobe* on Alvarado Street—that "dude saloon," as Sterling called it. Refreshed by whiskey and a brisk stroll on the waterfront, the trio hired a carriage and crossed the hill to Sterling's home in Carmel. When they arrived, Charlie was "figuratively, gathered to his fathers," and lay on a bed in Sterling's work house, "feebly moaning that he wanted 'his baby,' whoever that was." George and Joaquin repaired to Carmel Mission, where Miller flirted boldly with the caretaker's daughter, then returned to the cabin, where Stoddard was peacefully asleep. "Leave him there," Miller ordered. "And you'd better stand by with a drink when he wakes up."<sup>55</sup>

After a while, Stoddard grew tired of Monterey, complaining of its worldliness and the ceaseless noise of the town's first sardine cannery, the Booth plant on the shore of the old wharf. So he visited in San Jose and, for a time, took a room in an old house at Congress Springs, in a fold of the Santa Clara mountains. But, by October of 1906, he was planning to return to Monterey. "There is no other place in California I know of I like so well," he wrote to Ina.<sup>56</sup>

He was an occasional visitor in Carmel, at the abalone bakes organized by George Sterling. "Carmel does not interest me," he wrote to Ina in 1907, "though some of its people do."<sup>57</sup> . . . I am inclined to think that it will become the intellectual centre of the coast."<sup>58</sup> Stoddard was lionized by the Carmel writers as an elder statesman of letters. Mary Austin remembered him as "a figure of tossed-back hair and long fingers forever busy with a cigarette . . . bridging the Bret Harte period to ours."<sup>59</sup> But he was too old for races on the beach and diving for abalones in the icy waters off Point Lobos. So while the others played, he drank—often to excess.

He often wondered if he had been wise to return to California from the East. "My coming to California at this late date is like rebottling old wine. It does not improve the wine."<sup>60</sup>

Though he was lonely, he found George Sterling to be a loyal friend. In the March 8, 1908, issue of *Sunset* magazine, Charlie published a poem entitled "To George Sterling," in which he wrote:

Thou in whose sight I am mute,  
 In whose song I rejoice:  
 And even as echo fain would I voice  
 With timbrel and tabor and flute,  
 With viol and lute  
 Something of worth in thy praise—  
 Delight of my days. . . .<sup>61</sup>

Sterling responded with a grateful letter addressed "O Sire."

In the fall of 1908 Stoddard visited San Jose and Santa Barbara, returning to Monterey once again to write to Ina: "I begin to think that I shall write no more. The gift has left me: the pitcher is broken at the fountain; the spring is dry. I have enough for a half-dozen vols.—but the market is flooded and I'm a back number. Let us cheer up. Perhaps there are worse times coming."

Again he fell ill. The rheumatism in his ankles was so severe he could not walk, and for seven weeks he did not leave the house. He planned a trip to the East, but in March of 1909 wrote to Ina that he would have to forgo it. "I suppose it shall be my destiny," he told her, "to linger on in this old town—which has lost all of its charm—to the end."<sup>62</sup>

On April 1, he was barely able to sign his name to a will prepared for him by the young attorney, Carmel Martin.<sup>63</sup> On April 15, he scrawled a hardly legible note:

"Dearest Ina,

I am just pulling out of a dreadful ill in which I lay at the point of death. Am better but cannot walk yet without help. It is Heart Disease."<sup>64</sup>

Ina's reply from San Francisco was dated April 20:

"Beloved Charlie:

I am so sorry. But you are going to be all right. *I can't spare you.* Though I don't see you yet to know you are still on the same planet with me keeps me from the sheer desperation of loneliness."<sup>65</sup>

On April 22, Sterling called at Stoddard's home, but he was asleep. The following morning Charlie Stoddard left the planet.

Sterling was a pall-bearer at the funeral in San Carlos church, the old Catholic chapel of Monterey. Ina Coolbrith was there, leaning sorrowfully on a stick. The body was taken to the weed-grown fields of the old cemetery, where Stoddard was buried, his head resting on a tile from the Carmel Mission. At last the Odyssey was done.

Joaquin Miller lifted a heavy pen, and wrote:

Say Charlie, our Charlie, say—  
 What of the night? Aloha! Hail!  
 What roamful sea? What restful sail?  
 Where tent you, Bedouin, today?<sup>66</sup>

There was no answer to Joaquin's question. For the Bedouin had folded his tent, and slipped in the night away.

## NOTES

1. Charles Warren Stoddard, "Diary," MS, July 12, 1905, Robert Louis Stevenson House, State Historical Monument, Monterey (hereinafter "Diary"). In this article I have used the spelling "Charlie," which was preferred by Stoddard, rather than "Charley," which was sometimes used by his friends.
2. "Diary," July 13, 1905.
3. George Wharton James, "Charles Warren Stoddard," in *National Magazine*, August, 1911, p. 661.
4. Franklin Walker, "Pip Pepperpod Grows Up," in *Westways*, September, 1935, p. 20.
5. James, in *National Magazine*, August, 1911, p. 664.
6. Franklin Walker, *San Francisco's Literary Frontier*, 75 (Seattle, 1969).
7. Charles Warren Stoddard, "The Confessions of a Reformed Poet," MS, Bancroft Library, Berkeley (hereinafter "Confessions").
8. *Ibid.*
9. James, in *National Magazine*, August, 1911, p. 664.
10. Walker, in *Westways*, September, 1935, p. 21, n. 4.
11. Walker, *Literary Frontier*, 278, n. 6.
12. George Wharton James, *An Appreciation of Charles Warren Stoddard*, 56 (Los Angeles, 1909).
13. Walker, in *Westways*, September, 1935, p. 27.
14. William Dean Howells, "Introductory Letter" dated August 11, 1892, in Charles Warren Stoddard, *South-Sea Idylls*, v (New York, 1926).
15. Stoddard, *South-Sea Idylls* (Boston, 1873).
16. James, in *National Magazine*, August, 1911, p. 669, n. 3.
17. Charles Warren Stoddard, *Exits and Entrances*, 66-67 (Boston, 1903).
18. *Ibid.*
19. James, in *National Magazine*, August, 1911, p. 670.
20. Walker, *Literary Frontier*, 347.
21. Fred M. Somers, "A Bohemian Revel—Rusticating in the Ancient Capital of California," in *The Argonaut*, October 5, 1878, p. 4.
22. *Ibid.*
23. *Ibid.*
24. *Ibid.*
25. Charles Warren Stoddard, *In the Footprints of the Padres*, 138 (San Francisco, 1902).
26. *Ibid.*, 140.
27. *Ibid.*
28. Somers, in *The Argonaut*, October 5, 1878, p. 4.
29. Stoddard, *Footprints*, 141.
30. Robert Louis Stevenson (with Lloyd Osbourne), *The Wrecker*, 145 (New York, 1895).
31. *Ibid.*, 146.
32. *Ibid.*



33. *Ibid.*
34. Stoddard, *Exits and Entrances*, 27, n. 17.
35. Isobel Field, *This Life I've Loved*, 125 (New York, 1937).
36. *Ibid.*
37. Charles Phillips, "Charles Warren Stoddard," in *Overland Monthly*, February, 1908, p. 135.
38. Charles Warren Stoddard, *For the Pleasure of His Company*, 121 (San Francisco, 1903).
39. Edward Wagenknecht, *Mark Twain, The Man and His Work*, 179 (Norman, Oklahoma, 1967).
40. Field, *This Life I've Loved*, 243.
41. Stoddard, *Exits and Entrances*, n. 17.
42. Mark Twain to Stoddard, October 6, 1898, in Charles Warren Stoddard Letters and Papers, Bancroft Library, Berkeley (hereinafter Stoddard Letters).
43. Charles Warren Stoddard, "A Labyrinth of Life" [MS notebook], Bancroft Library, Berkeley (hereinafter "Labyrinth").
44. *Ibid.*
45. *Ibid.*
46. *Ibid.*
47. *Ibid.*
48. Charles Warren Stoddard, "Exercises" [MS notebook], Bancroft Library, Berkeley (hereinafter "Exercises").
49. "Diary," July 24, 1905.
50. *Ibid.*
51. *Ibid.*
52. James, in *National Magazine*, August, 1911, p. 663, n. 3.
53. "Exercises."
54. Ina L. Cook, "Charles Warren Stoddard," MS, Bancroft Library.
55. Franklin Walker, *The Seacoast of Bohemia*, 22 (San Francisco, 1966).
56. Stoddard to Ina Coolbrith, October 27, 1906, Stoddard Letters.
57. Stoddard to Coolbrith, August 19, 1907, Stoddard Letters.
58. Stoddard to Coolbrith, August 20, 1907, Stoddard Letters.
59. Mary Austin, *Earth Horizon*, 301 (Boston, 1932).
60. "Exercises."
61. Charles Warren Stoddard, "To George Sterling," in *Sunset*, March, 1908, p. 502.
62. Stoddard to Coolbrith, March 9, 1909, Stoddard Letters.
63. File in Estate of Charles Warren Stoddard, Deceased, Probate No. 1830, Superior Court of California, Monterey County (in Office of County Clerk, Salinas).
64. Stoddard to Coolbrith, April 15, 1909, Stoddard Letters.
65. Coolbrith to Stoddard, April 20, 1909, Stoddard Letters.
66. Joaquin Miller, "Say Charlie!," quoted in Nellie Van De Grift Sanchez, "Charles Warren Stoddard and the Artist Colony," *Oakland Tribune*, December 26, 1920, Magazine section, p. 3.

# REVIEWS

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Charles Wollenberg, *Review Editor*

## Chicano Control of Chicano History: A Review of Selected Literature

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HISTORY, TO PARAPHRASE KARL MARX, is written and rewritten by those who control the instruments of writing and production. It is the dominion, we might add, of those who have the skills to manipulate the scholarly industry.

The validity of this proposition is reflected in the conscious or unconscious efforts of established nations to protect their positions in world history and to sustain the senses of nationality that ensures and justifies the transmission of national character to each succeeding generation. The proposition applies to emerging nations, too, in which distinctive racial and ethnic minorities struggle with equal passion to preserve their own interpretations of history and cultural distinctiveness. In new nations, in fact, minority groups may be even more removed from control of the instruments of writing and production than in older nations. The Indian populations of Mexico, Guatemala, and Peru are notable New World examples. Asia and Africa offer countless others. Minority groups living in Western nations such as the United States may be close to achieving control of their own histories, and, through them, we may be able to understand how groups acquire the means for the writing and rewriting of history.

The United States has a large number of minority groups. Each is in a different state of real or imagined social alienation. This essay considers how one of these groups, the Chicanos, is progressing in its struggle for opportunities to rewrite history—to state its own special case to the Anglos who control their society and to the rest of the world.

Ethnic and host-society scholars agree that the quality of life of the United States' five to twelve million Chicanos remains well below that of the majority of the country's citizenry. Educationally, Chicanos have one of the lowest levels of achievement in the nation. In primary and secondary schools their dropout rate matches and sometimes exceeds that of blacks. Few Chicanos have entered institutions of higher learning where the more sophisticated tools for the writing of history are dispensed because schools have always failed them and because the universities of the privileged rarely want the underprivileged in substantial numbers. Federal and local programs designed to advance the educational opportunities of Chicanos have been limited and temporary. It is in the job market, however, that the poor quality of Chicano life is most easily seen. Chicanos remain what they have always been: menial laborers. Racial discrimination has limited their educational opportunities and only a few have ever reached managerial, business, and professional positions. Given the Chicanos' poverty and history of social and economic deprivation which dates back to the Mexican-American War, it is a wonder that they are now able to write books protesting the

damage done to their history. An important few, however, are now rewriting the story that their enemies deliberately misrepresented and their surrogates never really understood.

There has been an impressive increase in Chicano scholarship in the last twenty years that has accelerated in quality and quantity in the late sixties. It is a scholarship with roots in the untutored, unwritten historiography of Chicano immigrants who, while living at the edges of American society, maintained a sense of history through their *corridos* (ballads), extended families, and cultural rituals that included oral history or *cuentos de mis padres* (stories told by the parents). But it is also a scholarship that is linked across several generations with men such as José Vasconcelos,<sup>1</sup> who lifted a pen against *yanqui* imperialism in 1925, and pamphleteers including Ricardo Flores Magón, whose visions of social justice were judged quixotic and revolutionary.

What has been written between 1953 and 1973 is both gentle and tough. It is gentle because much of the writing is nostalgic, rebuilding the past and sharing real and mythical memories of the land to the south. It is also tough because it is the new history, the analysis of contemporary conditions of social contact between Chicanos and Anglos. The new authors are young Chicanos with knowledge only of the brutal reality of urban *barrio* life. It is from the writing of these young historians that the parameters of the Chicano revolution, if it ever comes to pass, may be forged.

Years ago, Robert F. Kennedy was asked for his opinion of young Chicano radicals. He replied: "They are unlike Puerto Rican and black youngsters that I have met. On the surface they appear to be gentle revolutionaries; but I sense an anger that is deep, that has not surfaced. Someday that anger may be focused by young Chicanos who will speak to history!"<sup>2</sup>

Less than ten years ago when the staff of the UCLA Mexican-American Study Project searched for literature in the little-known field of Chicano studies, books, journal articles, and other materials written by Chicanos themselves were almost nonexistent. Most studies available had been written by Anglos. Anglo graduate students, mostly from southwestern universities, had produced a quantity of pedestrian masters and doctoral theses; cultural anthropologists enamored with ethnic exotica joined the graduate students with more professional investigations of *curanderas* (witch doctors) and other "folk" practices unrelated to the reality of Chicano life in the United States.

A few Anglo surrogates did leave indelible marks in the history of *la raza*.<sup>3</sup> As radical champions of the oppressed in the best sense of the term, they wrote and spoke for a people who were not yet able to control the instruments of writing and publication. Carey McWilliams is an outstanding example of such a champion. Shortly after the first edition of *North From Mexico: The Spanish-Speaking People of the United States* (New York: J. B. Lippincott, 1949) first appeared, McWilliams told a group of Chicano students that "someday young people like yourselves will write the true history of your people."<sup>4</sup> Another Anglo surrogate, a young, urbane writer named Beatrice Griffith, assured Anglos that Chicanos were not subversives and that they considered themselves American. Griffith wrote an impassioned plea for greater understanding of Chicanos which she entitled *American Me* (Boston: Houghton Mifflin, 1948). Anglo authors, like Ruth Tuck in *Not With the Fist: Mexican-Americans in a Southwest City* (New York: Harcourt, Brace, 1956), also contributed to this special literature.

In the last five years Chicanos have proven that they can handle the tools of scholarship. Fewer Anglo experts write about Chicanos; more books are being co-authored by Anglo and Chicano scholars with apparent equality of authorship and mutual intellectual respect. More important, a significant number of books and scholarly journals, e.g. *El Grito* and *Aztlan*, have been produced entirely by Chicano scholars. This

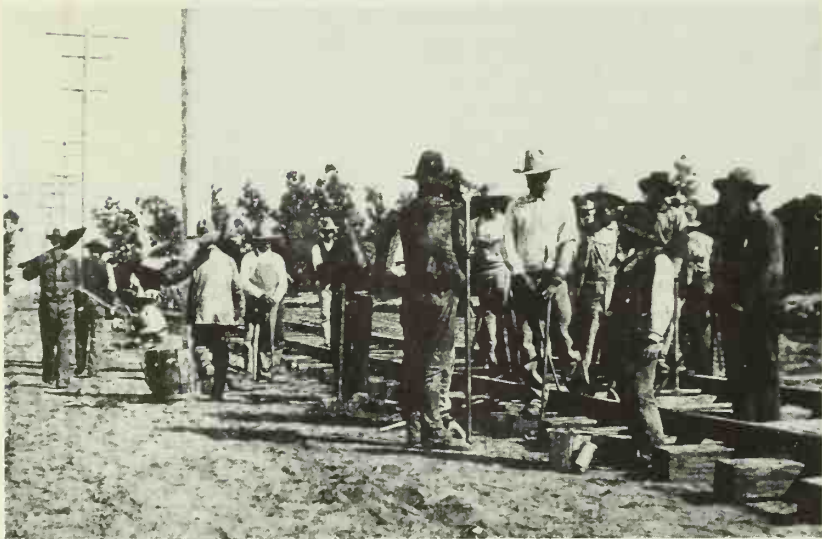


speaks to growing Chicano control of the tools of writing and publication. Another important characteristic in the new Chicano scholarship is the attention given to analyzing American society. Historical-sociological efforts like Armando Morales' *Ando Sangrando* [I Am Bleeding] (Los Angeles: Perspectiva Publications, 1972) introduce a new level of Chicano consciousness and a tougher analytical stance.

The Chicanos' struggle to state their special case to Anglo society and the world can be seen in the many books published and republished in the last year or two. These fall into three categories: 1) romantic searches, 2) partisan proclamations, and 3) analytical assessments. Romantic searches into past history, a universal temptation for all peoples who wish to be *hijos de algo* (sons of something), are an understandable enterprise. Secondly, if it is natural to search the records scattered in the debris of the past, it is equally natural to issue partisan proclamations based on the discoveries of injustice. A review of the history of the Alamo and of the American seizure of Mexico's northern territories alone provides evidence for bitter denunciation. Studies of the third type, analytical assessments of American society by Chicanos, have just begun to appear.

As a romantic search of the past, Ernesto Galarza's *Barrio Boy: A Chicano Youth Coming of Age in Mexico and America* (New York: Ballantine Books, 1971. 273 pp. \$1.25), is important primarily because it was written by a distinguished Chicano author and is partially autobiographical. A powerful, prolific author in the field of agrarian economics, Galarza championed the cause of California's farm workers when Cesar Chávez was still a youngster. To many Chicanos, Galarza is a model Chicano scholar: he graduated from Occidental College in the 1920's, attended Stanford University, and received a Ph.D. from Columbia University—an accomplishment that is impressive even today.

*Barrio Boy* is not well received by young Chicanos who have no memory of quaint villages in the mountains in Mexico, of roosters named Colonel, and of burros called *relampago*. Many Chicanos cannot believe that life in the urban slums of America was ever idyllic or even livable. The grinding, miserable poverty that attended the growth of most Chicanos who moved north from Mexico, the ugly attitudes of Texas *gringos* who seem to predominate in the United States Border Patrol, the heavy actions of the police, and the proprietary posture of the social workers are absent from Galarza's charming autobiography.

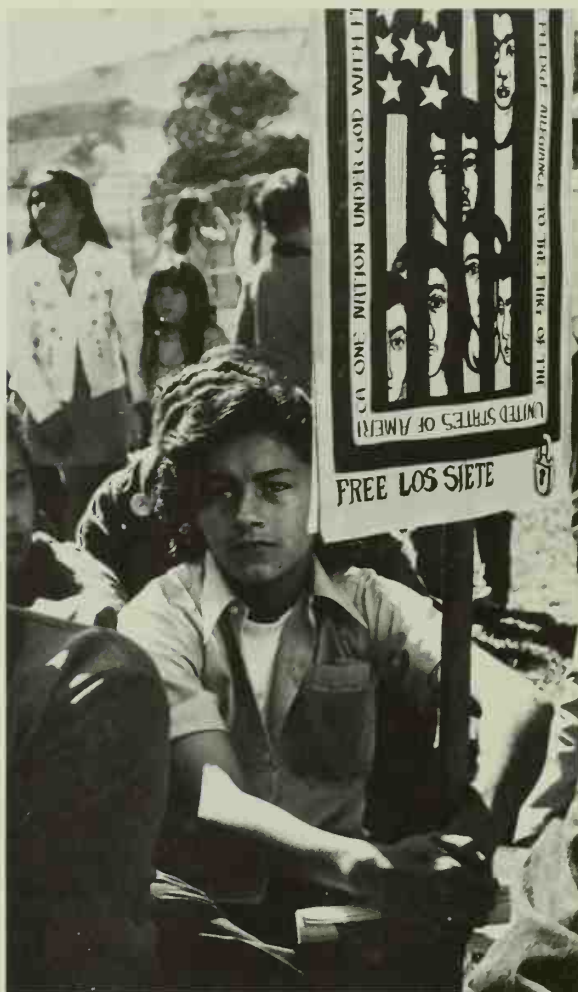


Like many major construction projects in the West, Southern California's Pacific Electric railway was built by poorly paid Mexican laborers. This photo shows the tracks near Glendale in 1904. *Security Pacific National Bank.*



Carrying flags of the Brown Berets, the Farm Workers Organizing Committee, and Mexico, young radicals (above) marched to Sacramento in 1971 to protest racial discrimination. *Associated Press.*

The marathon trial in San Francisco in 1969 of seven young *latinos*—*Los Siete de la Raza*—accused of murdering a policeman precipitated a grass-roots movement in the *barrios* (right). *Marjorie Heins' Strictly Ghetto Property.*



If there are questions about the audience for which Galarza wrote *Barrio Boy*, there is no doubt about Rodolfo Acuña's purpose in writing *Occupied America: The Chicano Struggle Toward Liberation* (San Francisco: Canfield Press, 1972. 282 pp. \$4.50). Acuña's book is a partisan proclamation written by a Chicano for Chicanos. It is biased, denunciatory, and angry. Acuña, nevertheless, provides enough rich historical detail to offset Galarza's romanticism and to make the reading of both books worthwhile.

A more balanced presentation of Chicano history can be seen in Matt S. Meier and Feliciano Rivera's *The Chicanos: A History of Mexican Americans* (New York: Hill and Wang, 1972. 302 pp. \$2.45). Meier and Rivera are respected American historians, Meier at Santa Clara University and Rivera at California State University at San Jose. In the co-authorship Meier may be the engineer and Rivera the architect. The former provides the construction and the latter the aesthetics of the book. Together they build

a scholarly structure that meets both Anglo building requirements and Chicano conceptual concerns. The co-authorship produces a historical account that is more subdued than Acuña's and more thorough than Galarza's. The Meier-Rivera product may provide a useful bridge between Anglo scholarly apprehension and Chicano aspiration. But whether *The Chicanos* was intended as a bridge or not, it is a carefully written, important contribution to the literature in Chicano studies.

While analytical assessments of American society that match Gunnar Myrdal's classic *American Dilemma: The Negro Problem and Modern Democracy* remain to be written by Chicanos, a number of books have appeared that at least describe the experience of Chicanos with American society. A tougher analysis is certainly due. Two paperbacks (boasting beautiful color reproductions of Pablo O'Higgins murals) are reprints of Manuel Gamio's early works, *The Life Story of the Mexican Immigrant* (New York: Dover Publications, 1971. 288 pp. \$3.00) and *Mexican Immigration to the United States: A Study of Human Migration and Adjustment* (New York: Dover Publications, 1971. 262 pp. \$3.00). Both books were published in the 1930's by the University of Chicago Press. Until Dover Publications republished Gamio's books, the Chicago editions were considered rare books by serious students of Chicano history. The scholarship in both books is rigorous and of lasting historical value. Gamio's books are in a special class, providing a vital record of the conditions of social contact between Chicanos and American society during the depression years.

Another recently released book is Father Mark Day's *Forty Acres: Cesar Chávez and the Farm Workers* (New York: Praeger, 1971), an unabashed partisan statement by a young Roman Catholic priest. There is a gentle beauty in Day's description of life among the farm workers that is reminiscent of Galarza's *Barrio Boy*. The contrast is interesting since the two men wrote out of love for a people with whom they both identify. Galarza described the surface; Day dug deep. Those who read both books might want to compare the military siege of Mazatlan reported by Galarza with Day's version of the economic siege of the Coachella Valley.

Today, more than eighty-five per cent of the Chicano population lives in cities. This could mean that as many as eight or nine million people, depending on whose "guesstimate" of the total population one uses, are Spanish-surnamed urban dwellers. Whatever the actual figures, we do know that Chicanos are urban and young (median age seventeen years). Their problems, then, are related to life in urban *barrios*. Slums mean drugs, psychic brutality, and violence, and few Chicanos escape unscathed from the streets to become distinguished authors, professors, or other professionals. The majority remain behind, locked in mortal combat with social forces endemic to enclaves of poverty. One of these forces is the police.

Two recent books speak to contemporary conditions of social contact between young barrio people and law enforcement personnel. Armando Morales' *Ando Sangrando* [I Am Bleeding] is a powerful exposé of police-community relations in East Los Angeles. A second book, Marjorie Heins' *Strictly Ghetto Property: The Story of Los Siete de la Raza* (Berkeley: Ramparts Press, 1972. 324 pp. \$6.95 hard, \$2.95 paper) focuses on the same problem as experienced by *latino* youngsters living in the Mission District of San Francisco and is as subjective as the Southern California contribution. One is written by a Chicano in behalf of Chicanos; the other by an Anglo in behalf of *latinos*.

Morales, while partisan, attempts to analyze conditions of social contact between young Chicanos and police authorities. He asks: "Are police used as a repressive force against social change?" He answers that they are, because police have internalized the worst aspects of American racism. Policemen are selectively recruited, he argues. They



almost always live in predominately white neighborhoods with known histories of community racism. After suffering seventeen rejections from major publishing houses, Morales' exposé was published by his own firm. In order to state the special case of young Chicanos vis-à-vis policemen, Morales was, indeed, forced to create his own instruments of production.

But if Morales' *Ando Sangrando* disturbs the sensitive reader, Heins' *Strictly Ghetto Property* will blow even more minds. The book is about seven *latinos* (Latin Americans who are not Chicanos), who were tried for the murder of a San Francisco police officer. Heins, like Morales, argues that the police represent a powerful institution that effectively represses the poor. She describes in journalistic detail the arrests that were made and the trial that followed, effectively arguing that policemen may simply be a powerful, institutional extension of the whites who control society (not all whites, by any means). When the *latinos* under discussion were arrested, the San Francisco press reported in detail the statements made by public officials and by the prosecution. But when the *latino* youngsters were acquitted, Heins points out, the same newspapers were conspicuously chary with their coverage. Morales likewise deals with the publicity that attends the arrest of Chicanos in East Los Angeles and the obstacles that Chicanos must overcome in order to explain their version of events. Both books should be read.

Literature about minority groups, written in collaboration with ethnic authors or by the ethnics themselves, has blossomed in the last few years. There is no dearth of literature in the area of Chicano studies—if there ever was one. But still missing are writings by Chicanos that clearly focus on Anglo-America and its social institutions. If John Steinbeck could write about the quaintness of Chicano life in *Tortilla Flat*, Juan Julano may yet describe diet fads or other Anglo cultural exotica.

The re-writing of history continues and so does the struggle for access to the instruments of writing and production.

1. See Nicandro Juárez, *José Vasconceles and La Raza Cosmica* (Los Angeles: Juárez and Associates, 1972).
2. For an account of this meeting, see Ralph Guzmán, "The Gentle Revolutionaries: Brown Power," in *Los Angeles Times*, January 26, 1969, *West Magazine*, pp. 9-12, 14.
3. In popular usage, *la raza* means our people.
4. An interview with Carey McWilliams, circa Fall, 1949.

## Book Reviews

*Francis Drake, Privateer: Contemporary Narratives and Documents.* Selected and edited by John Hampden. (University, Alabama: University of Alabama Press, 1972. 286 p. Illustrations. \$12.75.)

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*Reviewed by* ROBERT H. POWER, *author of the article on the Drake landing controversy in this issue.*

*Francis Drake, Privateer* is appropriately titled. In scope, it limits itself to Drake's early activities as a slave trader-turned-privateer. Only in the Epilogue is Drake's activity

as a "naval commander" reviewed. Hampden has a good grasp of the complex politics of the Elizabethan age, and he neatly categorizes Drake as the "one sea-captain of acknowledged genius, the one great popular hero."

The stated purpose of this book is to bring together "important contemporary accounts of the earlier voyages of Francis Drake" with appropriate annotation. Unfortunately, the volume is awkwardly organized into three parts with nine numbered sub-parts and eight extra, unnumbered sections. Among the unnumbered sections are the beginning "Illustrations," the final "Index," an interesting "Introduction," and a useful "Select Bibliography." This structure was evidently the result of a last minute reorganization of material; although illustration 23 is captioned "The plate of brass found in California (see Chapter 4)," there is no Chapter 4, and the footnote about the Plate of Brass is in "Part Three . . . [sub] 2."

The book's illustrations are numerous, about thirty in all, but they are poorly captioned. For instance, the famed Silver Map of the World is handsomely photographed, but the maker (Michael Mercator), the place of issue (London), and the date (1589) are not mentioned. Instead, the reader finds the vague statement, "A map in silver made from the world map by Mercator. . . ." In truth, the silver map's cartography used Mercator's projection, but was derived primarily from sources other than Rumold Mercator's 1587 World Map.

Hampden's footnotes, like his captions, leave much to be desired. For example, *The World Encompassed* . . . , a narrative of Drake's circumnavigation journey, contains the following phrase: "In 38 deg. 30 min. we fell with a convenient and fit harbour [Drake's California anchorage]." Hampden's accompanying footnote reads: "This latitude of 38° 30' is just south of San Francisco, and a bay there has been named Drake's Bay." Latitude 38° 30', however, is about fifty miles north of San Francisco and, of course, Drake's Bay is precisely on the thirty-eighth parallel, about twenty-four miles north of the Golden Gate. In another footnote of California interest, the Farallon Islands are incorrectly spelled "Farallone Islands."

Problems also arise from the book's attempt to bring together reprints of accounts of the earlier voyages of Francis Drake. *The World Encompassed*, which represents more than 25 per cent of the total text, is, unfortunately, a reprint of a reprint of a reprint. In at least one crucial point in the narrative—when it describes Drake's course from the third to the sixteenth of October after departing from the "Island of Thieves" in the western Pacific—an editorial error is perpetuated. Hampden's reprint reads that Drake continued "within sight of land." The original edition of 1628 correctly states "without sight of land," but the error was made in 1854 in the Hakluyt Society's edition of *The World Encompassed* edited by W. S. Vaux and was carried forward to the 1926 Argonaut Press edition edited by N. M. Penzer. One UCLA professor spent two years searching for these illusive, non-existent islands and finally reached a very erroneous conclusion because of this error. Hopefully, no scholars will be led astray by errors in this new reprint edition.

Lack of attention to detail is exhibited in the book's outline map showing "the route probably followed by Drake in his voyage round the world." The map depicts Drake stopping in Panama, while it is known that he purposely sailed past the area far out to sea. In addition it fails to indicate Drake's stops in Costa Rica and far-off Mindanao and the explorer's penetration into Oregon waters on the northwest coast of America.

*Francis Drake, Privateer* is valuable for its bibliography and the publication of such important documents as the draft plan for Drake's 1577 voyage. It can be a useful reference if the reader uses it cautiously with knowledge of its many small errors which could set serious research off in the wrong direction.

*Charles F. Lummis: Crusader in Corduroy.* By Dudley Gordon. (Los Angeles: Cultural Assets Press, 1972. xix, 344 pp. Illustrations. \$12.50.)

*Reviewed by* JOHN W. CAUGHEY, *distinguished scholar, teacher, and editor in the field of California and western history.*

BACK IN HIS GRADUATE-SCHOOL DAYS Dudley Gordon wrote a seminar paper on Charles F. Lummis. Professor Herbert E. Bolton, in line with one of his habits, told Gordon he must not stop with this paper—Lummis's contributions called for a full-scale biography. Gordon not only took Bolton at his word, he made it a career-long assignment. The information to be gathered was bulky and scattered, and some of the richest materials were not open until a few years ago. Gordon persisted, and the degree of his dedication is attested by the formidable array of acknowledgments that prefaces this book. In innumerable conversations and in formal speeches, he made himself Lummis's press agent as well as his assiduous biographer. *Crusader in Corduroy* caps this two-fold effort.

Lummis, among other things, was an outdoorsman and athlete, a reporter, editor, and translator, a poet, essayist, and critic, a historian, ethnologist, and archaeologist, an enthusiast for the Indian, the Spaniard, the Mexican, and for California and the Southwest, a promoter, organizer, and advocate. Because of his strong and complex personality, he was a refractory subject for a biography. Rather than trying to reduce this character to a formula, Gordon ranges freely with him and lets his subject's multiplicity show. He is not put off by Lummis's lapses into fustian and bombast and his acidulous condemnation of editors and scholars who disregarded him and inattentive readers and all who persisted in error, even after having been put on notice by CFL. Stylistically, Gordon is perceptibly influenced by his subject's mannerisms; Gordon's rambling and anecdotal approach ties in with Lummis's frequent changes of pace and emphasis.

But Lummis was more than an eccentric, a sparkle, or a happening. He had the attention and the respect of an impressive roster of persons including Theodore Roosevelt, Frederick W. Hodge, Mary Austin, John Muir, Pablo Abeita of Isleta, Harrison Gray Otis, and Henry O'Melveny. What is usually said of him is that besides building with his own hands his El Alisal, he founded a league for the preservation of the California missions and another championing the dispossessed and pauperized Indians. He invigorated the Los Angeles Public Library, and he founded and built the Southwest Museum. In addition, as the long-time editor of *Out West*, he encouraged southwestern writers and argued the integrity of the regional culture. Indeed, his major contribution was the basis for awareness of the rich intercultural heritage of California and the Southwest. Gordon's biography keeps him alive.

*The Maru Cult of the Pomo Indians: A California Ghost Dance Survival.* By Clement W. Meighan and Francis A. Riddell. (Los Angeles: Southwest Museum Papers, No. 23, 1972. 134 pp. Illustrations. \$8.50.)

*Reviewed by* ALBERT B. ELSASSER, *associate research anthropologist at the R. H. Lowie Museum of Anthropology, University of California, Berkeley.*

ANTHROPOLOGISTS have long been studying the cult religions of peoples who are threatened by domination or annihilation following foreign encroachment of their territory.



Such religions are usually called "messianic" if they cluster about the immediate or imminent presence of a great savior or prophet. When no such personality or deity is involved, however, a functionally similar cult, termed now "revivalistic," may develop. The Maru cult of the Pomo Indians of the North Coast Range of California falls into the latter category.

Meighan and Riddell have analyzed a series of dance ceremonies associated with the Maru cult during a ten-year period, from about 1949 to 1959. The authors' stated purpose, to indicate the processes by which the cult came to its present form, has been commendably served. Despite certain inherent arcane or vague concepts in this cult, many of them with differing individual interpretations by participants in the ceremonies, the writers have threaded recent objective observations into a firm historical framework without compromising living California Indians. The main Indian informants and performers whose names appear repeatedly in the book are now dead, and this explains the thirteen year lapse between the last recorded ceremony and the present publication.

Certainly the Ghost Dance proper of the last thirty years of the nineteenth century is the best-known of the revivalistic cults of the American West. It is significant that the first (1870) wave of this movement appeared in Northern California only about twenty years or so after the gold rush, when Indian society was undergoing severe disruption. The later, but more publicized Ghost Dance manifestation among the Indians of the Great Plains reached its apparent culmination with the Battle of Wounded Knee in 1890. By this time, the California Ghost Dance, with its emphasis on the return of the Indian dead, had already transformed itself, among the Pomo, at least, into the Earth Lodge cult, and from this, in turn, the Maru religion was derived.

The Earth Lodge prophets foretold not the return of the dead, as in the Ghost Dance, but the end of the world, with protection from the cataclysm to be granted, however, to Indians who foregathered in subterranean lodges and other places. The Maru cult, following upon the Earth Lodge belief after 1872, abandoned ideas of world catastrophe but instead was preoccupied with concepts of the afterlife and of a supreme being. The cult derives its name from the idea of the Maru, or "Dreamer," who locally serves as the chief religious functionary and who leads the people by dreamed rules of ceremonial behavior.

Since each local Maru does not dream the same, it is clear that centers of the religion among the Pomo, whether along the coast or at Clear Lake, may contain some differences in emphasis. Thus the exhaustive treatment in the book of concrete details—choreography, dance costumes, banners and other equipment, forms of ceremonial houses—all aid in indicating the pervasiveness of the cult among the Pomo. Outlines of the material items provide a picture of the influence of certain Euro-American elements (including a trace of Christianity) upon a threatened but still viable Indian culture. A list of estimated origins of traits in the Maru ceremony (Table 1) nevertheless points to the strong aboriginal foundation of the ceremonial pattern.

This volume can be recommended to anthropologists and historians, especially those interested in culture change and in the history of religion. The very recency of the cult provides a note of contrast for the general reader who may have believed that the California Indians simply disappeared when the mission period came to an end in the mid-nineteenth century.

*The Cable Car in America.* By George W. Hilton. (Berkeley: Howell-North Books, 1971. 484 pp. \$17.50.)

Reviewed by DAVID F. MYRICK, author of a recent publication about San Francisco, TELEGRAPH HILL.

THIS is a lengthy book—almost 500 pages—devoted to the story of the cable car in America. To paraphrase a contemporary book on a different subject, Dr. Hilton's book might have been titled *Everything You Wanted to Know about Cable Cars but Did Not Know Where to Ask*, for here are the answers.

Previous writers including Edgar Kahn and Lucius Beebe, in telling the story of the cable car in San Francisco, have left the reader with the impression that the cable car was the exclusive property of San Francisco. Certainly this is true at this moment, but George Hilton informs us that this method of transport forms part of the history of twenty-eight other American cities. Among these cities are Oakland, Omaha, Kansas City, Pittsburgh and Washington, D. C. Serious promotions almost added Milwaukee, Dallas, Boston, and even Lincoln, Nebraska, to the list.

A third of the book is given over to the cable car itself and its place in the development of American urban transportation, falling between the horse car and the electric trolley. Who invented the cable car is a matter of controversy; Andrew S. Hallidie, long heralded as the inventor, was not the sole person contributing to the invention, but he did develop the first operating system. That cannot go unrecognized. In this part of the book, Hilton takes his reader through the details of the power house, the cable, and the grip, as well as the economic patterns which controlled the life span of cable traction.

As San Francisco cable lines have been the topic of several earlier books, Hilton wisely limited the discussion of individual lines in San Francisco to the same proportions given to lines in other cities.

Those living beyond the borders of San Francisco will find greater interest in the larger half of the book devoted to the cable lines in the twenty-eight other cities. Half of the twenty-eight are west of the Mississippi River; nine are in the twelve western states. Western cable car cities include Denver, the mining city of Butte, Montana, and Spokane, Washington, as well as cities along the Pacific coast.

San Diego's line, running north mostly on Fourth Avenue, had a short life of less than three years, most of it with unhappy overtones. The map in the book depicting the three systems in Los Angeles suggests the letter X with a few appendages. Both arms reached thirteen miles. A portion of the small Second Street Cable Railroad—the eastbound ascent from Hope Street to the top of Bunker Hill—was distinguished by the steepest grade (27.7 per cent) among the American cable lines.

In Oakland, names prominent in Western mining history took part in building the two cable companies. James G. Fair promoted the Oakland Cable Railway on lower Broadway and San Pablo Avenue, while Mark Requa and others were backing the Consolidated Piedmont Cable Company. One of Requa's lines ran along the upper part of Broadway and Piedmont Avenue to the Mountain View Cemetery, while the other operated over the undulating Oakland Avenue all the way to Highland Avenue. Both lines were converted to electric traction before the turn of the century.

With an informative text, meaningful maps, and photographs, this book is a treasure chest of information. Dr. Hilton is to be congratulated for his contribution to the local history of the United States.

*California: A History of the Golden State.* By Warren A. Beck and David A. Williams. (New York: Doubleday & Company, 1972. 552 pp. Illustrations. \$11.95.)

*California: Land of New Beginnings.* By David Lavender. (New York: Harper & Row, 1972. 464 pp. \$10.00.)

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*Reviewed by* ANDREW F. ROLLE, *Robert Glass Cleland Professor of American History at Occidental College, Los Angeles.*

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IT HAS BECOME TEMPTING for popularists and scholars alike to write new histories of California. Under review here are two such works, one in each genre. David Lavender's volume is part of a series of regional surveys and not actually a definitive history of the state. Professors Beck and Williams strive for greater thoroughness.

By now the parameters of the state's history—including the Spanish-Mexican period, the hide and tallow era, the gold rush, agricultural growth, social discontent—have been delineated. The work of Bancroft, Chapman, and Cleland is long behind us. Yet, because of their pioneering books, it is an easier job for a writer today to tackle a history of the state than was formerly the case. A decade or more ago, when others of us produced histories of California, it became obvious that the best opportunities to make original contributions to the story lay mainly in treating its most recent history. Each year we add another bloc of time that historians must chronicle and interpret. Lavender, incidentally, bravely attempts to go from the 1920's to the megalopoli of the present in only fifty-one pages of narrative.

Each of the reviewed books has strengths and weaknesses. An excellent device utilized by Professors Beck and Williams is the inclusion of carefully chosen source quotations to illuminate past eras. In attempting breadth of interpretation, authors are bound to skimp on occasional intriguing details, and Beck and Williams, for example, avoid the whole controversy over the Drake landing as well as the authenticity of the Drake Plate. Both books are reasonably fair in their attention to California's Latin tradition (not the case in other recent histories), but Beck obviously possesses the understandings of an Hispanic Americanist (although his research specialty has not been early California). Lavender's interpretations of that period are more Anglophile.

Divergent viewpoints aside, readers must ask if it was structurally wise for Lavender to jump directly from the Spanish period to a section entitled "The Advent of the Americans." This decision sidelines California's Mexican past, which Lavender treats primarily in terms of its pestiferous Yankee intruders. While the author is more at ease in discussing mining and railroading (about which he has previously published), Beck and Williams are in better control of political history, especially during the 1850's and 1860's (Williams's specialty). They do a fuller job, also, with racial minority problems, education, and cultural matters.

Both books, however, are accompanied by insufficient bibliographies. Beck and Williams do not even list the major current histories of the state, and Lavender seems to have a notion that Irving Stone's *Men to Match My Mountains* is one of these. Yet, Lavender (like Stone, not a professionally-trained historian) does a better job of listing both books and articles (albeit some trivial ones) than do Professors Beck and Williams. Neither book includes descriptive appraisals of sources, nor do they provide an author's index—as do two other recent California histories. As well, it is an inconvenience for both students and lay readers not to find bibliographical citations at the end of each chapter. Similarly, it would be helpful if Beck and Williams had identified the provenience of their photographic illustrations. Lavender provides no illustrations. Each volume does include usefully conceived maps.



Stylistically, Lavender's text is more spirited than Beck and Williams' rather sober prose, but the value of his narrative is offset by its shallower research depth. Lavender leans heavily upon a stylistic manner that features biographical speculation and racy sub-titles, as well as dramatic phrasing. Is readability thereby enhanced? One wonders how many persons unconsciously resent the purple passages. Yet, on occasion, Lavender can be cogent and analytic, and his prose is more controlled in the closing chapters. When compared to this obvious attempt at a popular format, Beck and Williams' longer book emerges as a more thorough and reliable work.

Late in the nineteenth century a keen-eyed visitor, Lord Bryce, saw the magnitude and power of California as more characteristic of a nation than of a state. Since his time its very name has come to symbolize economic, political, and cultural dominance of the American West. The writing of such a state's history cannot be taken lightly. The mere integration of an overwhelming body of monographic literature about California requires both persistence and specialized expertise. In addition to the judicious use of imagination, a comprehensive history of this most varied and populous state needs to feature balance and to seek depth of interpretation. Furthermore, fresh insights must rest upon verifiable data brought to life beyond the level of entertainment. Both pedantry, on the one hand, and descriptive and rambling narratives, on the other, have become a luxury in an over-published market.

Caught as the California historian is between the complications of fact and interpretation, Winston Churchill's words about the study of the past come to mind: "History with its flickering lamp stumbles along the trail of the past, trying to reconstruct its scenes, to revive its echoes, and kindle with pale gleams the passion of former days." In the writing of California's story (or that of any other land) we will not lose immediacy if we keep the scenes clear, the echoes muted, the gleams pale, yet not extinguish the passion of the past.

*Historical Notes on Lower California with Some Relative to Upper California Furnished to the Bancroft Library.* By Manuel C. Rojo, 1879. Translated and edited by Philip O. Gericke. (Los Angeles: Dawson's Book Shop, 1972. 172 pp. Illus. Appendix. Bibliography. \$20.00.)

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*Reviewed by W. MICHAEL MATHES, author and authority on the Spanish Californias, and Associate Professor of History, University of San Francisco.*

MANUEL CLEMENTE ROJO, a Peruvian who settled in Todos Santos, Baja California, about 1849, had, by 1860, become a judge and the Jefe Político of the region, although revolution quickly ended his term of office by the latter part of that year. Rojo later served several governors until 1863 when he purchased the ex-mission of San Vicente Ferrer in the northern region of the peninsula. As a land owner, Rojo achieved political importance in the north, becoming Sub-Jefe Político of that region in 1868 and carrying out judicial reforms during his terms in office. Rojo died in Ensenada in 1900, having observed and participated in a half century of political activity on the peninsula.

Rojo's *Historical Notes* . . . were the result of his being contacted by Hubert Howe Bancroft to supply data for his *History of the North American States and Texas* which was being compiled in 1879. The manuscript, housed in the Bancroft Library, is appropriately titled, for it is a compilation of more or less random data relative to various events from 1810 to 1847, acquired from informants in written or verbal form, with

considerable latitude as to accuracy and objectivity, and is thus a pioneer effort in the field of oral history.

The first section of the notes deals with life in the Frontera, the northern region of the peninsula initially established by the Dominicans in 1774. Vignettes of military life, mission life in the later years, Indian rebellions in the 1830's and the characteristics of civil settlers in the area are presented. Rojo's nineteenth-century Mexican anticlericalism is much in evidence here, for although he is highly critical of the Dominican mission system, he fails to note that these missions were exempted from the secularization order of 1832 due to their importance as civilizing factors on the frontier.

Entitled a "Supplement to the Letters of the Reverend Mission Fathers," the second section of the notes neither supplements nor reproduces such letters. Rather, it deals with military life at Loreto, the problems of the Wars of Independence from 1810 to 1821, difficulties of municipal administration in Loreto, and persons involved in the civil settlement of La Paz.

Sections three through eight of the notes present vignettes of the terms in office as *Jefes Políticos* of Manuel Mata (1836), Luis del Castillo Negrete (1838-42), Francisco Padilla (1842-43), Mariano Garfias (1843-44), L. Maldonado (1844) and Francisco Placios Miranda (1844-47). With the exception of Castillo Negrete, these men are presented as despotic, corrupt, obscene and alcoholic; Palacios is further shown as a traitor during the United States occupation of La Paz in 1847. An appendix containing a eulogy of Doña Pilar Ortega de Argüello and a letter to one of Bancroft's historians, Henry L. Oak, follows the body of the text as does a brief general bibliography.

Although highly biased and limited in scope, Rojo's *Notes* are of value as additional material for the history of Baja California in the nineteenth century. The translation of the manuscript is very readable; however, annotations are somewhat sparse. The general reader is not well informed as to the causes for the many changes in government on the peninsula (revolutionary movements on the mainland), nor is he presented a concise overview of Baja California history which would permit the reading of the notes within some general framework. Apart from this shortcoming, as volume 26 of the Baja California Travels Series, *Historical Notes . . .* provides yet another excellently designed and printed source for the history of the peninsula.

*The Donner Party.* By George Keithley. (New York: George Braziller, Inc., 1972. 254 pp. \$6.50.)

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*Reviewed by* KENNETH LAMOTT, *author of Anti-California and Chronicle of San Quentin and contributing book reviewer for numerous periodicals including The New York Times Book Review, Book Week, Newsweek.*

GEORGE KEITHLEY HAS UNDERTAKEN an interesting and ambitious piece of work in *The Donner Party*. The ambition is clear enough—to write an epic poem memorializing the traumatic experience of the Donner party as it played out the tragedy that has given it a place in history and folklore like no other of the immigrant parties that crossed the Great American Basin, mounted the granite ramparts of the Sierra Nevada, and descended at last into the land of milk and honey.

The story is told by George Donner, a dirt farmer who, in the spring of 1846, left his fields in Illinois to lead a party that consisted, at its largest, of 29 men, 13 women, and 43 children, who followed him across the Mississippi, out of the United States, and along the trail to California. Given the usual hazards of such an enterprise,

the journey went well enough until, in July, the decision was made to leave the main trail and follow the so-called Hastings Cutoff south of the Great Salt Lake.

*Then we turned (Keithley writes)  
our own teams  
southwest and we drove for days  
over  
the dry ground where not one leaf  
let its shade  
fall to earth  
and the wind in which the dust arose  
gave no relief . . .*

It is interesting to speculate how the book would have been changed if Keithley's three-lined stanzas had been rendered into prose. Like this: *Then we turned our own teams southwest and we drove for days over the dry ground where not one leaf let its shade fall to earth and the wind in which the dust arose gave no relief.*

Little seems to be lost, for, alas, the poetry is, in the precise meaning of the word, pedestrian—serviceable but without inspiration, prosy and lacking in surprises.

This is the central difficulty with *The Donner Party* as a piece of literature, and yet, despite this failing, Keithley's story (he has added and subtracted for a story-teller's reasons) is remarkably effective. The character of George Donner, a good and decent man much attached to his wife and children, comes through clearly, as does the dark and ominous personality of Lewis Keseberg, whose brutality led to his banishment from the party but who was allowed to rejoin it later on, and whose name became a word of fear and loathing in California after the full story of what happened in the party's winter encampment became general knowledge.

Keithley handles the cannibalism theme deftly, introducing it with George Donner's conversational report that *Later he had to steal out at night / and dig him up to remove / what we could for meat. // Arms and leg at the start. / Then the heart and all / of his liver as well. // We would not have done this / but it was so long since anyone / had eaten a meal.*

In the end, *The Donner Party* comes through as a capable piece of work that revolves around a theme that is fit for Greek tragedy—the desperate plight of a decent man who, suffering from the disfavor of the gods, is plunged into a situation whose horror lies on the farther edge of our imagination. If only it moved us more!

*The New York Volunteers in California.* By Francis Clark and James Lynch. (Glorieta, New Mexico: The Rio Grande Press, Inc., 1970. 159 pp. Maps. Illus. Index. \$10.00.)

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*Reviewed by* JOHN YATES, *writer of articles on naval history for historical journals and author of a forthcoming biography of Henry Wager Halleck.*

REGIMENTAL HISTORIES, whether officially authorized or assembled from individual journals and personal reminiscences, are rare commodities these days. The Rio Grande Press has rounded out their Mexican war coverage by combining in this new edition which is the 68th Rio Grande Classic, two classic volumes of a regiment's history.

*The New York Volunteers in California* is two volumes in one. *With Stevenson in California, 1846-1848* by James Lynch (of Company F) was first published in 1896



and reprinted in a slim volume in the 1960's; the first edition is one of the treasures of the California State Library. The second volume which also composes the new edition is *Stevenson's Regiment in California, 1847-1848* by Francis D. Clark; the first edition published in 1882 is in the possession of Lorrin Morrison, the publisher and editor of *Journal of the West*, who the Rio Grande publishers acknowledge as the individual who really inspired the combined edition.

Stevenson's 1st Regiment of New York Volunteers (raised as the 7th Regiment) was an extraordinary organization made up of volunteer soldier emigrants with a sprinkling of professional West Pointers as company commanders and staff officers and a colonel (Stevenson) who was a ward politician. The existence of the regiment as a military unit was short-lived but its contribution to the maintenance of law and order in the turbulent transitional period of the late forties in California, and the contribution of its members as civilians in later years to the growth of the new state, are important historical facts.

Lynch describes his reminiscences as "a brief history of the scenes and incidents during the most eventful period of my life" in an introduction and preface dated 1896. The span of fifty years seems not to have dulled his memory of his experiences with the regiment and the early days at the mines. However, minor incidents are confused, and he gets people mixed up and has them at the wrong place at the wrong time. The narrative is nevertheless fascinating and a remarkable record of an early pioneer.

Francis Clark wrote his journal (Volume II) in 1882 and his memory also has served him well. He is far more specific than Lynch, quotes official dispatches and newspaper articles of the period in full, and provides a wealth of detail on the make-up of the companies and the fortunes of the rank and file and their current activities and status.

The combination of these two rare volumes is good regimental history and another valuable addition to 'Californiana'—and it is fully indexed, which its components were not.

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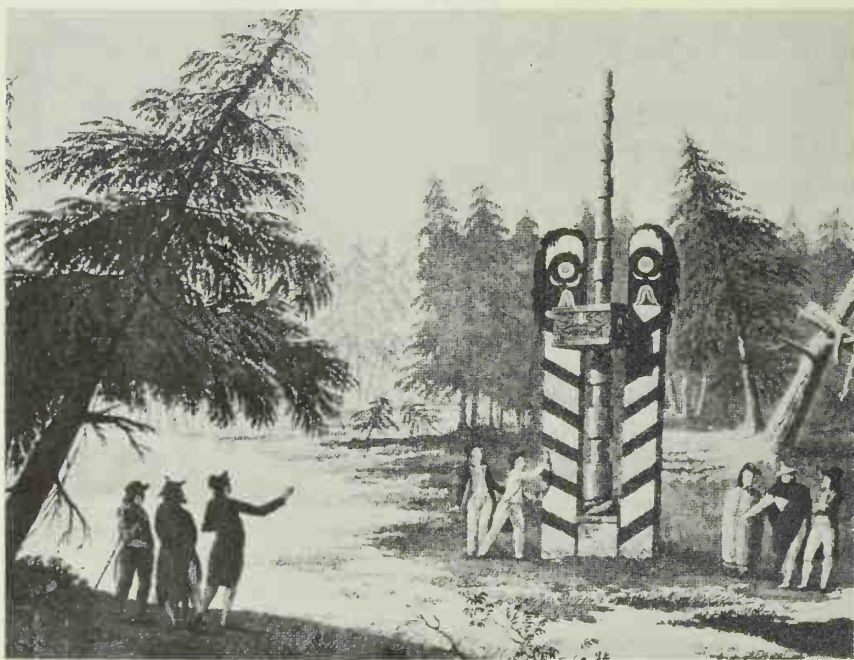


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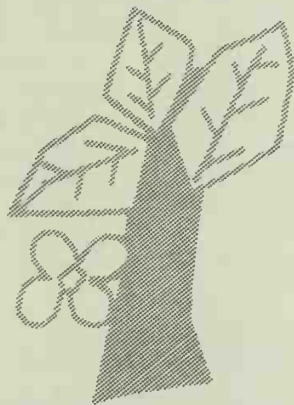
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COVER: A swell doffs his hat to a non-seeing young lady on Van Ness Avenue, the social and business center of San Francisco after the earthquake and fire of 1906. This drawing by Maynard Dixon is one of the scores of illustrations by him published in *Sunset Magazine* during his 22-year affiliation with the monthly. The drawing is reproduced from a new book just published by the California Historical Society, *The Early Years of Sunset Magazine*, in honor of the magazine's 75th anniversary. For other samples from the ancestral *Sunset*, see frontispiece and pages 224-228. (Courtesy of Lane Magazine & Book Co.)

JAN 31

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# California Historical Quarterly

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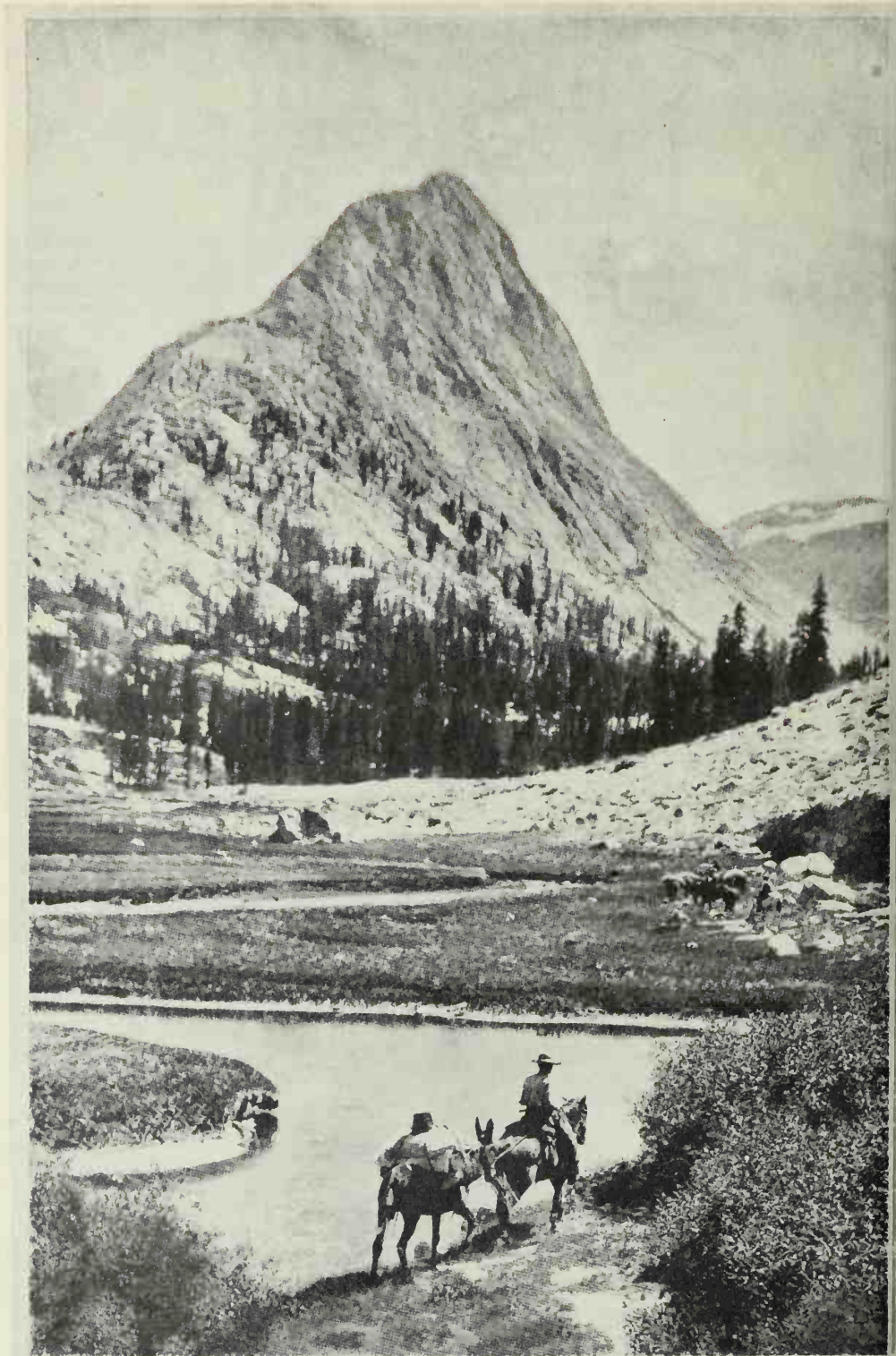


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PHOTOGRAPHED BY HOWARD C. TIBBIT

#### IN THE SILENT PLACES

ABSOLUTE STILLNESS BROODS UPON THE FASTNESSES OF THE HIGH SIERRA. PERFECT CALM WRAPS ALIKE THE FACES OF PRECIPICE AND ROCK-HELD LAKE. THE BLUE DOME RESTS UPON MONOLITHIC PILLARS, HEWN BY TITANIC FORCES. INTO THIS VAST TEMPLE COME REFUGEES FROM THE TURMOIL OF HUMAN SOCIETY AND LO! THE PETTY CARE "THAT TIME AND PLACE HAVE KNOWN FALLS OFF AND LEAVES US GOD ALONE"

(From *Sunset Magazine*, June 1922. See also pages 224ff.)

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*Houses mingled with small-craft skids and repair shops at the water's edge when this photo of South Beach between First and Second streets was taken in the 1860's. Marine Hospital (far right) became the Sailor's Home after 1876 and, by one account, a notorious "crimp joint." Eventually, the cove was filled and built up with warehouses and wharves.*



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## San Francisco's South of Market District, 1850-1950; The Emergence of a Skid Row

---

ALVIN AVERBACH

*Graduate of Roosevelt University, Chicago,  
who became interested in San Francisco history  
after a local tenants and property owners' coalition  
challenged the Yerba Buena project  
in the South of Market district of San Francisco.*

**H**OMELESS MEN HAVE HABITED San Francisco's South of Market district since the earliest days of the city. While South of Market emerged as a predominantly single men's quarter only after the earthquake and fire of 1906, residential and transient hotels had previously grown up alongside the parish churches, union meeting halls, factories, and original homes of the wealthy. The evolution continued after 1906, as construction of saloons, second-hand stores, and missions surpassed that of churches, new immigrant populations replaced the old, and fewer families settled there.

The longevity and resiliency of the institutions which served South of Market inhabitants—increasingly marginal to the society around them and the regional economy which created them—is considerable. A century ago the area survived abandonment by the wealthy who moved out as the source of their wealth closed in around them. In 1906, several working class neighborhoods were destroyed along with almost everything else South of Market, but institutions sprang up again to meet the old, and new, residents' needs.

Soon, an apparently indefatigable force will physically level the heart of the area and destroy the remaining skid-row hotel society of retirees, casual workers, transients, alcoholics, and full-time workers. That force, the San Francisco Redevelopment Agency, represents the corporate enterprises and urban renewal bureaucrats whose convergent interests are the inspiration for the scheduled renewal project in which stores, a sports arena, a convention center, a parking garage, and other facilities will replace the dwellings and diversions of the old,

NOTE: This article was prepared as part of a research project sponsored by the National Housing and Economic Development Law Project, Earl Warren Legal Institute, University of California, Berkeley. The research on the history of the South of Market area will be incorporated into a book by Chester W. Hartman, *et al.*, tentatively titled *Yerba Buena: A Study of Urban Genocide*.

largely single, male residents. Appropriately named Yerba Buena Center after the settlement wrested from Mexican Californians by American pioneers during the Mexican-American War, this dream of the developers is in a dubious long tradition of land-grabbing. The inhabitants of South of Market, justifiably outraged at the renewal agency's heavy-handedness, are only the latest representatives of one type of worker who originally settled in that area of the city. As urban renewal threatens to progress through all of South of Market, the hotel dwellers will be among the last people to have lived there.

The proposed Yerba Buena Center, lying roughly between Second and Fifth, Market and Harrison streets, is only one portion of the South of Market area which extends from The Embarcadero southwest along Market to Tenth, Eleventh, or Twelfth streets, down Division to Channel Street, and back to The Embarcadero. In 1849 the entire area that lay South of Market was approximately one half this size, the remainder being a great swamp to the southwest of what became Third Street, penetrated by Mission Bay as far as Bryant Street (see map). The sandhills confined between these marshes and the shallow tide flats of Yerba Buena Cove on the northeast were characteristic of the entire city, which was "framed by marsh, steep hills, or sand dunes."<sup>1</sup> The commercial heart of the city grew up on the North of Market side of Yerba Buena Cove, where men debarked, goods were unloaded, and both were transshipped to the gold fields which were under intensive digging.

Along and back from the southern shore of the cove, between present-day First and Third, Mission and Folsom streets, lay Happy Valley.<sup>2</sup> In 1849, it was the tent portion of the "half city, half camp" and "green in contrast to the high sand hills separating it from the settlement around Montgomery Street."<sup>3</sup> One to two thousand tents were pitched there. It was this embryo settlement that, by 1900, grew into the South of Market of today's outline.

Along with the area's tents were the factories which turned out tools and, later, mining machinery for the diggings. The first foundry was built at First and Mission, followed in the early 1850's by six others in the vicinity.<sup>4</sup> In addition, in 1849 or 1850 one builder erected twenty-five "ready-built" houses on Mission between Second and Fourth, on Folsom near Second, and along the more narrow inner streets of Minna, Natoma, and Tehama.<sup>5</sup> Some of these dwellings housed prosperous citizens, including William D. M. Howard, Samuel Brannan, and Captain Joseph L. Folsom, after whom major South of Market streets were named. In 1850, too, American soldiers drove squatters off of Rincon Point, at Harrison and Spear streets, clearing the 100-foot-high hill that overlooked Yerba Buena Cove, the bay, and Happy Valley.<sup>6</sup>

Extending from Folsom to Bryant, and Spear to Third streets, this prominence, known as Rincon Hill, became the site of the elegant homes of the most prosperous and influential men of property in San Francisco after 1852. On its southeast slope, between Second and Third, Brannan and Bryant streets, stood South Park, another exclusive residential district of large homes situated around a grassy and tree-lined oval which was enclosed by an iron railing and locked to all but area residents. The community was built far from the main section of town because the site was level and free of sand, while the distance insured South Park safety from the fires that ravaged the central city six times between 1849

and 1851.<sup>7</sup> An additional advantage enjoyed by South Park, Rincon Hill, and all South of Market was the best, most fog-free weather in the city. By 1854, South of Market was connected to other areas in the city by an omnibus-stage-coach line along Third Street and by plank roads along Mission and Folsom streets.<sup>8</sup>

By one account, the move by the newly rich away from Happy Valley and the core of the city to South Park and Rincon Hill preceded the mushrooming of the foundry industry in the older section. By 1860, in any case, Happy Valley had become highly industrial, with the houses and shelters of its laborers growing up around it. Sandhills surrounding the valley had been levelled and carted off to fill Yerba Buena Cove in the early 1850's,<sup>9</sup> and the last known squatters had been driven from the area in 1854.<sup>10</sup> As industry spread toward dock facilities near the foot of Mission and Folsom, the area became known as "Tar Flat," after the gas works on Howard between First and Beale. This factory regularly disposed of its wastes in the tidewaters a block away, and the accumulated wastes formed a tarry surface at low tide.<sup>11</sup> Tar Flat's equally renowned landmark was the 200-foot-high Selby Shot Tower, a factory which stood at First and Howard from 1864 to 1904.

Soon, South Park's Second Street was a fashionable promenade, while First Street displayed the developing divisions of the area. As a writer for the *San Francisco Chronicle* observed, "Instead of milliners' and jewelers' and modistes' shops, First Street ran to sailors' boarding houses, German groceries, Irish saloons, gas works and boilerships from Market to Howard, after it had passed beyond the waterfront squatters' period."<sup>12</sup> The area around First and Folsom was "a transition zone with livery barns for the Rincon Hill dwellers interspersed with shops."<sup>13</sup>

During the 1850's and 1860's the rapid industrial and commercial development of San Francisco pushed both outward on the filled cove and inward on the Rincon Hill-South Park area to satisfy the demand for warehouse and industrial sites. Soon,

the same tide of increasing prosperity which made these homes so desirable, led to their undoing and final desertion. The trend of bus and commerce demanded more and more outspreading highways, and as early as 1863 there was talk of cutting Second Street through Rincon Hill. Slowly but swiftly the very same industries founded by these same prosperous homeowners and from which they drew their wealth, encroached upon their very doorstep.<sup>14</sup>

Rincon Hill—gradually surrounded by wharves, warehouses, lumber yards, factories, shipbuilding yards along Mission Bay, a wholesaling and light manufacturing district south of Howard Street,<sup>15</sup> and by an increasingly working-class population filling in the flatlands—was itself sheared in two by the "Second Street Cut" of 1869. The cut was an immense task, taking over half a year to complete and leaving a steep ravine between Folsom and Bryant streets, with mansions "clinging precariously to the brink of the big chasm."<sup>16</sup> Property values declined precipitously, and many of the well-to-do moved down hill, and up another, to Nob Hill, north of Market Street, which became accessible after the invention of the cable car in 1873. Gradually, they all left their former neighborhood.



The rich never returned to South of Market to live, as the area continued its rapid and mixed development. Henceforth, it was known as a working-class quarter. Jack London celebrated its changed character in his story "South of the Slot" (after the cable slot of the Market Street cars):

Old San Francisco . . . was divided by the Slot. . . . North of the Slot were the theatres, hotels, and shopping district, the banks and the staid, respectable business houses. South of the Slot were the factories, slums, laundries, machine shops, boiler works, and the abodes of the working class.<sup>17</sup>

Several reports testify to the changing face of the area in the 1870's. Robert Louis Stevenson, a temporary resident of San Francisco, described Rincon Hill as "a new slum . . . already envired. The ranks of the street lamps threaded it unbroken. The city, upon all sides of it, was tightly packed, and growled with traffic."<sup>18</sup> Another observer-resident for a time was Kate Douglas Wiggin, later famous as an author, who began directing the first free kindergarten South of Market in 1878. Viewing the area from Third Street at the foot of Rincon Hill, she wrote:

The scene is a long, busy street in San Francisco. Innumerable small shops lined it from north to south; horse cars, always crowded with passengers, hurried to and fro; narrow streets intersected the broader one, these built up with small dwellings, most of them rather neglected by their owners. In the middle distance were other narrow streets and alleys where taller houses stood, and the windows, fire-escapes, and balconies of these added great variety to the landscape, as the families housed there kept most of their effects on the outside during the long dry season.

Still farther away were the roofs, chimneys, and smokestacks of mammoth buildings—railway sheds, freight depots, powerhouses, and the like—with finally a glimpse of the docks and wharves and shipping.<sup>19</sup>

Symbolizing the changes in the area was Union Hall on Howard Street between Third and Fourth streets. The setting for a ball honoring the visiting Russian tsar's fleet in 1863 and other social events signalling the beginning of the San Francisco social season in the early 1870's, it housed mass meetings of the Workingmen's Party of California in 1879 and was converted to an inexpensive variety-amusement hall in 1885.<sup>20</sup> Author Wiggin designated the entire district as "Tar Flat"; the name Happy Valley seems to have gone out of use with the arrival and crowding-in of migrant and immigrant workingmen, many of the latter with families. Later, immigrant sons, predominantly Irish, would call themselves the South of Market Boys.

The decade of 1870-1880 saw an increase in the city's population from 150,000 to 235,000, and the South of Market district grew more congested as the city absorbed many German, Irish, and English immigrants.<sup>21</sup> Working-class families filled the streets paralleling Market, and South of Market expanded into the less densely populated area beyond Tenth Street.

Accordingly, these same years marked a great increase in the hotel, lodging house, and boarding house populations. The *San Francisco City Directory's* "Progress of the City" report for 1879-1880 noted that Mission Street from Third to Ninth streets, as well as various other South of Market streets, had been built up with this kind of housing. Nearly one-third of the city's boarding houses, a

quarter of its hotels, and half of its 655 lodging houses were found there. The fact that a third of San Francisco's 250 listed restaurants were situated South of Market confirms the fact that, by 1880, the district had also become a home for a large number of single men.<sup>22</sup> The city directory, however, was quick to reassure: "A stranger would think our people reversed the rule, and all boarded, and that 'keeping house' was the exception, but the far greater number of dwellings erected during the same period proves otherwise."<sup>23</sup>

Single men had actually begun to quarter themselves South of Market as early as the 1860's; the rise in the number of these lodgings, however, only continued a "hotel tradition" that dated back to the gold rush, when winter rains and snows drove thousands of miners to the bay towns "where they filled every available shelter to overflowing."<sup>24</sup> Gold and silver miners still returned to pass the winter pursuing the "sinful" amusements of the city, joining sailors on leave and agricultural laborers in from the valleys.<sup>25</sup> As early as 1871 Henry George, then employed as a newspaper editor in San Francisco, described the migrant workers "disappearing" after the wheat harvest "into the flophouses of San Francisco—to come back next season like so many ragged crows." Another observer remarked in 1872 that among the multitude of "tramps" or "blanket men" that he met on the road were "runaway sailors," "reformed street thieves," "bankrupt German scene painters," and "old soldiers."<sup>26</sup>

South of Market also emerged from the 1870's as a center of working-class movements and institutions. A severe drought in the winter of 1876-1877 reduced both agricultural production and hydraulic gold mining and added many unemployed men to the numbers who already had flocked to San Francisco seeking work or relief since the depression began in 1873. In anger against the thousands of Chinese laborers brought in by capitalists to depress wages and discourage unionization, an estimated 5000 unemployed gathered at the intersection of Fifth and Mission streets in July, 1877. The meeting issued an attack on Chinese restaurants, laundries, and places of employment throughout the city. This action proved to be a prelude to the rise of the anti-Chinese Workingmen's Party of California later that year and to its anti-Chinese, sometimes anti-capitalist program developed in the late 1870's. Acknowledging the district's distress in 1878 the city organized charity and relief on a wide scale for the first time in order to feed and shelter the unemployed.<sup>27</sup> During the period, too, the Youth Directory, a Catholic welfare institution, moved from North of Market to Howard Street between Tenth and Eleventh streets. Run by the Catholic church and staffed primarily with Irish officers, it served as a refuge for homeless, unemployed boys. While advertising free admission and use of its refectory, dormitory, laboratory, and reading room, the Directory also acted as an employment agency which procured jobs in both the city and rural areas. In 1881-82, it boasted of obtaining jobs on farms, in factories, stores, and shops for 5600 boys; thus, it appears to have been an early labor exchange for at least one sector of the transient or migratory working population.<sup>28</sup>

Because San Francisco was the hub of a heavy coastwise shipping traffic, by the 1880's a separate sailors' quarter had grown up along the streets of The Embarcadero, the original "Tar Flat" now covered-over with made land. According to one local historian, the section was now a "much tougher world." Its

saloons and boarding houses served as one of the prime centers for "shanghaiing," the kidnapping and incarceration of drugged, beaten, or drunken sailors to make up a ship's crew. The Coast Seaman's Union, founded on a Folsom Street wharf in 1885 and joined with the Steamshipman's Union in 1891, fought, legally and illegally, for three decades to bring an end to shanghaiing in these "crimp joints." The solidarity that made possible their extended struggle and victory was forged South of Market; the area between First Street and The Embarcadero was home "turf" for many seamen—where they lived and where they fought their on-shore waterfront battles in 1891 and 1902. (The combined Seaman's Union of the Pacific headquartered until 1906 at Mission Street and The Embarcadero and returned to First and Harrison streets in 1950.<sup>29</sup>)

Like the 1870's the middle 1890's again brought economic depression, the search for work and relief, and the venting of anger to South of Market. Some of the area's unemployed undoubtedly participated in the labor agitation of this period. The year 1893, for instance, saw unemployed whites leave cities including San Francisco as "fruit tramps" (migratory agricultural workers in fruit crops) for the hinterland of California where they engaged in riots that drove thousands of Chinese workers from the fields.<sup>30</sup> That was the same year that Coxey's Army, perhaps "the only mass expression of hobo labor consciousness," marched and rode trains from California, Ohio, and other states, to Washington, D.C., to protest their conditions.<sup>31</sup> One detachment, known as "Kelley's Army," moved out from San Francisco, their normal gathering point, using the same rails and roads for protest that they followed in their travels and pursuit of work.

At this time in San Francisco, however, only a scattering of informal institutions existed for the down-and-out. South of Market held nearly a quarter of the city's pawnshops in the early 1890's and more than a third by 1900, mostly along Third and Fourth streets.<sup>32</sup> The Associated Charities' one woodyard, on Main near Mission, allowed penniless men to chop wood at ten cents an hour in exchange for a meal, lodging, or a ferry boat ride across the bay.<sup>33</sup> By the end of the depression in the late 1890's, the Salvation Army had located its "Institute"—a men's shelter and food depot, woodyard, and free dispensary—at the corner of Howard and New Montgomery streets and deployed five of its ten corps South of Market.<sup>34</sup>

In 1900, the census counted 62,000 people living in the area bounded by The Embarcadero, Eleventh, Market and Bryant streets, by far the densest portion South of Market. (The remainder of the area consisted of factories, warehouses, docks, and freight yards, much as Wiggin had described it in 1878.) Population was fairly evenly distributed, representing just over one-sixth of the city's population.<sup>35</sup> Judged by its churches, inhabitants were heavily Irish Catholic and German Protestant. St. Patrick's on Mission Street between Third and Fourth streets was the biggest of the area's four Catholic churches, reputedly having the largest parish west of Chicago. In addition five German Protestant congregations, four Swedish, two Japanese, one Jewish, one Greek, and several others of no specific nationality held services.<sup>37</sup>

A recent demographic study has shown that South of Market, up to Seventh Street, had become more working class in character by 1900, with the larger portion of both the Irish and German populations in the categories of skilled and



unskilled workers.<sup>38</sup> More interesting, in light of the seasonal and business cyclical movements of the unemployed, is the great mobility of South of Market residents between 1870 and 1900. In none of the five-year periods measured (1871-1876, 1880-1885, and 1890-1895) did more than 21 per cent of South of Market residents stay at the same address. In each period 40-45 per cent moved elsewhere in the city, or sometimes in the same area, while 40 per cent perennially left the city or died.<sup>39</sup> These figures suggest that moving about in search of jobs figured significantly in the residents' economic life and that it was an activity common to both the major immigrant groups and the class of hobo workers.

Certainly, traffic of the latter type was immense, as individuals moved back and forth between city and country, forest, and mine. Seasonal workers returned year after year to the same kind of industrial frontier work, though the location might vary; hoboes, known to labor economists as migratory casual workers, traveled in search of any jobs that might appear. Railroad companies calculated the size of this migration, including the annual springtime exodus and autumn return to the cities, to be half a million at any one time nationally. The same companies cited 24,000 trespassers killed and 25,000 injured between 1901 and 1905. The victims were largely "tramps and hoboes" who in "beating their way" had not managed to secure a hold on moving trains or had not eluded certain yard police.<sup>40</sup>

Some facets of this worker-mobility between cities and between country and city correspond to what Nels Anderson, sociologist and former hobo, has called a "second frontier." Anderson argues that between 1880 and 1920 the rise of an immigrant-quarter population performing industrial jobs in the cities occurred simultaneously with the great increase in hobo workers building railroads and doing other kinds of non-urban work.<sup>41</sup> If such is the case, San Francisco may have been unique in this "second frontier" period, in that South of Market housed both these populations in the same area before and after 1906. After the earthquake, however, the population of single men emerged predominant. In contrast, homeless men in Chicago, the subject of Anderson's early 1920's study, had been relegated to relatively segregated and isolated areas.

The 1906 earthquake and fire disrupted for only a short time the life of this particular community South of Market. The quake did its heaviest damage to the "made ground" over Yerba Buena Cove and the large swamps South of Market, and the fire consumed the many wooden structures South of Market before sweeping north across Market Street.<sup>42</sup> Yet within three years the city had been largely rebuilt, and San Francisco's 1910 population of 416,000 was an increase of 74,000 over that of 1900. Rebuilding in South of Market kept pace with the rest of the city, but the area never attracted the numbers that had lived there before the disaster. The 62,000 of 1900 became 24,500 in 1910. This population, 80 per cent male, was also distributed differently along the "corridor" between Market and Bryant streets: 11,400 lived between The Embarcadero and Fourth Street, 5,500 between Fourth and Sixth streets, and 7,600 between Sixth and Eleventh streets. These areas were respectively 91 per cent, 75 per cent, and 67 per cent male, perhaps indicating that sea-related economic activities made the most immediate recovery after the holocaust. Families or single women who had chosen to move back or move in tended to settle nearer the Mis-

sion district, beyond Twelfth Street, exhibiting a pattern that has held since.<sup>43</sup> Many of the Irish, German, and other groups moved further into the Mission area and onto Potrero Hill, both contiguous with South of Market. This post-fire period also saw the continuation of the movement of resident workingmen and their families away from the central business and manufacturing area, only now into the Sunset and Richmond areas as they were opened in the 1910's and made accessible by public transportation. This movement of older immigrant groups continued at least through 1940.<sup>44</sup>

Joining those Irish and Germans who returned to South of Market was a large Greek community that began to settle around Shipley, Clara, and Folsom streets between 1910 and 1920. It was composed at first largely of men who had worked their way across the country as railroad crews and, only later, was expanded with the arrival of relatives and families from other American cities and Greece. Once settled they frequently opened tea or coffee houses and inexpensive restaurants along Third and on Folsom, serving both the Greek and other single men's communities.<sup>45</sup> New Jewish immigrants opened pawn shops and new and second-hand clothing stores for the same clientele.<sup>46</sup> South Park became a mixed area of warehouses, machine shops, and flats housing a Japanese community. By the second decade of the century South of Market housed members of virtually every nationality.<sup>47</sup>

Rebuilding since the destruction had been rapid, and it led to a great influx of skilled and unskilled laborers from all over the country. While there had been 20,000 workers in the seasonal building-trades industry before the earthquake, there were 60,000 after the event, building all year long and receiving large wages.<sup>48</sup> Similarly, coastwise shipping expanded tremendously as forests in Washington and California were cut down and shipped to San Francisco. Overnight the city became a frontier boom town again, drawing to the city those men who might otherwise have been working elsewhere along the "second frontier." Apartment houses and smaller dwellings reappeared along the narrow alley-streets of the larger blocks South of Market, while numerous hotels and lodging houses resumed their places, largely along the major arteries. In between all these establishments, small manufacturing, wholesaling, and warehousing concerns gradually arose again, creating a clear pattern of mixed land usage. Fifty-eight hotels and eighty lodging houses had been built by 1907 alone, the largest numbers being found along Third, Howard, and Folsom streets. Their greatest overall concentration was between First and Sixth, Market and Bryant streets, declining in each direction from there.<sup>49</sup>

This was the locale of San Francisco's "hobohemia," a term used by Anderson to describe that area of American cities where, during the second frontier, hoboes and other workingmen gathered to live or spend time. Here grew up the hoboes' institutions: the hotels and lodging houses whose proprietors acted as bankers so that men spending their regular off-seasons in San Francisco had safekeeping for their money and would not spend it on a single spree;<sup>50</sup> saloons which fed their patrons smorgasbord "free lunches" for ten or fifteen cents and sometimes doubled as informal employment agencies;<sup>51</sup> and pawnshops on Third, lower Market, and The Embarcadero where a hobo might put up a tool or some clothing to pay for food, drink, or shelter when he could not stretch his winter's

"stake" far enough. That this was a flourishing, if impoverished, culture is indicated by the vitality of other institutions: a dense supply network of fifty-one second-hand articles stores, twenty-one of which in 1920 could be found on the single block of Howard between Third and Fourth streets, and the bulk of the others spread along Third, Fourth, and Sixth streets; seven employment agencies in the same block offering mainly out-of-town jobs, with several others on Mission and Market;<sup>52</sup> pool rooms and movie theaters; and barber colleges on Fourth between Mission and Howard streets and another nearby on Howard Street, where apprentice barbers could practice their trade on the men who, in turn, got free haircuts. In addition there were the missions, varying in number with the state of the economy and the seasons. The indefatigable Salvation Army's Industrial and Social Department on Harrison between Fourth and Fifth streets was complemented by Volunteers of America, which established its own woodyard on Tenth Street in 1917. An Industrial Workers of the World (IWW) headquarters operated from various locations between 1912 and the mid-1920's, but its members were often present on opposing street corners from the Salvation Army band, choir, and preachers, singing different words to the same tunes and offering an altogether different appeal.<sup>53</sup>

Year in and year out this network of institutions supported South of Market's homeless men: seasonal workers, hoboes, tramps, bums, and the home guard of casual laborers who worked regularly or irregularly at unskilled jobs only in the city. An early student of migratory labor, Carleton Parker, estimated from a sampling of hotels that some 40,000 men were "lying up in pseudo-hibernation" during the winter of the 1913-1914 depression. The same winter witnessed another Kelley's Army form for a march to Washington, D.C., with a large number of its recruits temporarily living in tents at Fifth and Mission streets.<sup>54</sup>

Occupations in the Market locale coincided roughly with geographical divisions: men with nautical occupations—whether migratory and seasonal such as seafaring and fishing, or local such as stevedoring or teamster work—concentrated between the east side of Third Street and the waterfront. Accordingly, separate seamen's missions grew up there. Men in seasonal occupations such as logging and mining were more likely to be found between the west side of Third Street up through Sixth Street. This area held the densest population in the city until at least 1927.<sup>55</sup> Above Sixth Street hotel rooms were more expensive, and, accordingly, more white collar workers such as clerks were attracted to them. Furthermore, it was considered of higher status yet to live around the area bounded by Third, Fourth, Market and Mission streets, where a year-round job was required to pay for a room. Here, for example, was the Hotel Jessie, where reporters from the San Francisco *Examiner* roomed. In general, as one moved farther from the waterfront, each street was thought to be more attractive than the one before it.<sup>56</sup>

After 1906, two main "stems" of activity grew and developed in South of Market and remained vital for the next fifty years. One ran up Third Street, and men gathered there from all over the city and beyond to gamble at poker or rummy, either occasionally or for big money.<sup>57</sup> Many saloons here had special gambling rooms and doubled as "bookie joints" (both were legal until 1938).



Farther away from Market Street were the Greek coffee houses where men could take in the nightly exotic performances of Greek women dancers.<sup>58</sup>

Howard Street, between Third and Fourth, became South of Market's other activity "stem." Here, unlike Third Street, men spent more time out on the street, looking at the blackboards advertising work, drinking, and pitching pennies on the sidewalk.<sup>59</sup> Hoboes called it the "slave market," after the invidious practices of the employment agencies located along that block. It was not uncommon, for instance, for an agency to gather fees and send more men than were required to out-of-town work, or for an employer to pay a substantial fee to the agency which he recouped out of the worker's wages.<sup>60</sup> This small section of Howard Street became the core of skid row in the 1930's.

A primary function of all South of Market informal institutions—stores and saloons, missions, restaurants, and hotels—was the shelter and maintenance of an industrial reserve army whose "troops" could be mobilized for the different tasks of building the West. South of Market residents were among those employed in rebuilding the city after the earthquake. From 1910 to 1915 the area was a home for the men who were constructing longer stretches of highways and railroads than in any other state in the West.<sup>61</sup> World War I attracted thousands of workers to the city to take part in war production efforts, especially shipbuilding,<sup>62</sup> and increased manpower needs drained hoboemia of a major portion of its population.<sup>63</sup> Troops of the industrial army were called up, as it were, for active duty.

It is worth noting that this encampment in hotels and lodging and flop houses was not yet known as "skid row." Usage of the generic term was not current at this time, and, instead, every large city had its own name for the distinct "ecological" area to which homeless men resorted primarily in the main off-season, winter. The area between First and Sixth streets may have been dubbed the "Mission District" because of the increasing numbers of missions that appeared there after 1900. This name usually refers, however, to that portion of the city stretching southeast of South of Market, and it is taken from the original Spanish mission that stood there. South of Market may also have been the original site of the "Tenderloin"<sup>64</sup> (now found north of Market Street), named after the prostitutes patronized in this locale by both single men and others in the city.<sup>65</sup> In any case, it was Seattle's "Skid Road"—named for "the trail down which logs were skidded to the saw mill and along which the lumberjacks lived in a community of flop houses, saloons, gambling halls, and other institutions common to the lives of homeless men"<sup>66</sup>—that eventually contributed its name to this homeless men's district and all the others. It should be emphasized that "Skid Road" described a community of one type of migratory working men, both at work in the camps and at leisure, voluntary or not, in the city. The later derogatory usage of "skid row" by the city's larger community to describe a hoboemia forced into decline by economic developments naively ignores the crucial role that the hobo work force had played in the economy as a whole.<sup>67</sup>

It is not surprising, however, that denizens of hoboemia were unable to command respect from the larger community, even in the period between 1905 and the 1920's when many jobs were held by men following a hobo way of life. The face they presented to other segments of the urban population was not that

of a roving, exploited proletariat following seasonal work at sea or in the California and western hinterlands<sup>68</sup> and constantly forced to move in search of new, poorly-paid work. Rather, when the community at large encountered the single, unattached workers who made up the "homeless," hotel-residing population, they saw them between jobs as they tried to live on whatever money they had been able to make the previous season. The suburban commuters from the peninsula, for example, who hurried from the Southern Pacific Station at Townsend and Third streets down Third and Fourth streets—bypassing the cheaper restaurants to breakfast on the block nearest Market Street—were regularly panhandled.<sup>69</sup> White-collar commuters from the East Bay suburbs, arriving by ferry at the foot of Market Street, did not even have to pass through hobohemia until the late 1930's, when the completed Bay Bridge routed their cars and trains through the area. Certainly, it was difficult to see these panhandlers as anything other than loafers. As one student of homeless men put it:

Whether the skid rower was truly vagrant, or simply an unemployed migratory or casual laborer made little or no difference to the community at large; neither worked much while living on skid row, neither had family or resources, and both travelled a lot.<sup>70</sup>

Similar observations were made by the many thousands of people who worked South of Market and lived elsewhere in the city and by those who passed through the area on railways that were running along nearly every street between 1910 and 1920.

Passers-through crossed an area populated primarily by men who were not only single, but poorer than themselves because of the intermittent nature of migratory work and of unskilled work in general. More importantly, the extraordinary exploitation to which migratory workers were subject determined the larger degree of their poverty. Besides the effective, often deceitful "combine" formed by employers and employment agencies, employers of migratory laborers, as one observer noted,

added the practice of levying excessive charges against his employees for food, shelter, clothing, and the breakage or even the use of tools and equipment. . . . Often the homeless man found himself faced with the necessity of working several months just to pay off his 'debts.' More unscrupulous operations might release a man at the end of five or six months' labor with scarcely enough left in his pocket to make his way back to the nearest city.<sup>71</sup>

In addition, poor wages and irregular migratory work made the formation of unions virtually impossible. Where achieved, usually by the Industrial Workers of the World (IWW), unions were impossible to maintain in the face of police power on the side of the employers<sup>72</sup> and the constant fluctuation of the work force from job to job and country to city.<sup>73</sup> For their collective powerlessness—except on isolated occasions such as the Wheatland Hopfields Riot of August, 1913—hoboes substituted what Carleton Parker called the "strike-in-detail": hoboes would simply and frequently walk off the job. As elaborated by another observer: "If employers were going to exploit him, he would do as little work as possible. If a decent wage was to be denied the homeless man, he would seek other satisfactions. Pride or skill in one's work counted for little. Instead, one proved himself in drink, travel, and experience."<sup>74</sup>



*High-density housing along inner alley streets (above) characterized this area South of Market in 1866 (photo taken from Nucleus Hotel at Third and Market).*



*In 1903, Third Street (above) was a bustling corridor which served the downtown business trade as well as the growing population of hotel dwellers.*



*In 1875, before the introduction of zoning laws, neatly kept middle-class homes on Rincon Hill (below) abutted the shanties, factories, and wharves of Tar Flat and the former Yerba Buena Cove.*



Understandably, the hoboes' forced accommodation to their employment situation operated as a large factor in their vision of themselves as a community apart from the larger one to which they resorted yearly or between jobs. The semi-transient community South of Market was founded on blatant exploitation, and it understood its position as such. Hoboes gave the epithet "slave market" to the block of Howard Street where they were forced to pick up jobs if their money ran out. And, once a hobo had sold enough of his labor to an employer to get by for a time, he would take what was left of his wages and drift off to the city again. Often, that town was San Francisco, with its reputation as the cheapest town on the coast for casual workers, a reliable labor exchange, and a city lax in its morals.<sup>75</sup>

While this industrial reserve army, observable in hobohemia between campaigns, was indispensable *en masse* to the work of exploiting the resources of the frontier and clearing the way for settlement in regions away from urban centers, its members individually counted for nothing. That is, the importance of seasonal work, the frequency of recession-born unemployment, and the constantly shifting demand for labor among different industries made a large casual work force indispensable for the growth of the West Coast economy; but, while a migratory worker might call his own strike-in-detail as one form of resistance to his exploitation, this action always meant a not-so-distant return to the never-drained labor pool. Strikes-in-detail did not have the force of a strike of numbers and, in fact, assured a kind of equalization, rotation, and continuation of the available exploitation.<sup>76</sup> In effect, the strike-in-detail may have been a prime means by which capitalist development in the second frontier period fostered, sustained, and relied on this industrial army: involuntary induction and voluntary discharge, sooner or later. This individualistic adaptation to migratory casual work allowed the combine of employers and agencies to stay in business—in numbers—at least through 1930 in South of Market, even though hobo workers attempted to avoid relying on the "slave market."<sup>77</sup> Similarly, the unskilled or lost-skilled urban factory worker, when not simply laid off, resorted to the strike-in-detail as a means of resisting debilitating and degrading conditions of work. Periodically, he, too, would slip into migratory casual work, thus sustaining the labor pool.<sup>78</sup>

In California this apparently inexorable process of capitalist development used many men in the country while they were strong, but left them in the city when they became unfit. Exposure to the elements, the hazardous nature of mining, logging and construction work, lack of on-the-job medical attention, insufficient diet, and the very arduous labor demanded by most out-of-the-way jobs all determined that a high number of men would eventually find themselves incapacitated for these jobs. Other workers simply chose to devote themselves to casual, odd-jobs. Both "retirees" and stationary casual workers tended to settle in the urban district that they knew, where they could pursue part-time and irregular work as the situation demanded. These two groups made up the "home guard" of the army, considered of lesser status by the seasonal and hobo workers who regularly left the city for work. Unfortunately, the relative numbers of the different divisions of the hobo class and their location in hobohemia remain unknown for South of Market in the 1910's and 1920's. The use that

destitute hoboes over age fifty made of certain relief facilities in the mid-1920's, however, provides some indication of what became of that part of the hobo class in South of Market that could no longer compete for work outside the city.

A joint survey completed in 1928 by the Community Chest and some University of California researchers found that older migratories came to the Salvation Army Industrial and Social Home's woodyard on Harrison near Fifth Street and the Volunteers of America Community Kitchen on Tenth near Mission Street only as last resorts. Since there were no large-scale public relief programs until the 1930's and no form of pension program for migratory workers, one might have expected many men to turn regularly and thankfully to these institutions. But, it was discovered, old hoboes avoided them as long as possible, relying in part on their long-standing ability to stretch whatever money they earned and in part on their creditors in hotels, bars, eating places, and stores. These sources and a search for local work failing, half-sick, half-starved men would turn up at the woodyard in mid-winter in such numbers that they were allowed to chop wood in exchange for one night's bed and board only on alternate days. Community Kitchen also served a free dinner of bread, coffee, soup or stew, and beans.<sup>79</sup> According to a 1925 survey, although sick men claimed to receive poor attention from the hospitals, "the worst deterrent to efficient medical care is the fear of losing a place at the woodyard and being left to starve. Again and again the men report that they dare not take time off to visit a doctor."<sup>80</sup> Typically without family to care for them, unlike most of the dependent aged in the city, they nonetheless avoided exchanging this life for the "clean beds and sufficient meals of the Relief Home." Confirmed in their individualistic ways, migratory seasonal workers or general casual laborers evidently remained distrustful of the few organized institutions created from above to serve them, which threatened to create a relationship of permanent dependence.<sup>81</sup> Finding a job meant independence from charity, a chance to sleep for a while in a cheap hotel or flophouse. One man in the survey cited as uncommonly fortunate found a semi-regular place washing dishes in a restaurant for his meals.

While noting that "general labor and rough domestic work (dishwashing and kitchen work) apparently represent the final stage of this group's industrial life," the authors of the University of California survey also remarked that "under a different economic organization of society, 86 per cent of these 100 men [interviewed] have potential earning power."<sup>82</sup> Because the hectic capitalist development of the West made no provision for them when they prematurely became unable to perform their valuable, back-breaking, and unacknowledged services, these permanent casualties of the industrial reserve army—classified in contemporary economic terminology as part of the "residuum of industry"<sup>83</sup>—were forced to return to the city and scrape along. Although their possible "earning power" was barely tapped, there was little need for them any longer in what remained of the market for hobo labor.

Anderson's study of the hobo work force reports a gradual decline in its numbers nationally between the end of World War I and through the Depression. He attributes this development to the increased mechanization of logging, mining, agriculture, and other industries.<sup>84</sup> Management policies also changed the picture. Beginning in the northwestern states after World War I, lumber com-

panies raised wages and improved housing, making their camps as inviting as possible to men with families, workers who would be less attracted to the "trouble making" IWW. In agriculture, family units with "flivvers" displaced migratory workers, and auto camps became a new feature of the California landscape.<sup>85</sup>

Local evidence suggests, however, that hoboemia did not decline as rapidly in San Francisco as elsewhere. The number of employment agencies along the "slave market" remained constant through 1930. St. Patrick's Church built a Shelter for Men on Minna near Third Street in the late 1920's. It was complete with beds and washing and other domestic facilities and housed up to 200 men a night.<sup>86</sup> For a few years in the early 1930's, Canon Kip Community House on Second near Folsom Street arranged with a near-by hotel to provide rooms at a special rate to men not requiring hospitalization, but too ill to survive a poorly ventilated and cramped flophouse.<sup>87</sup>

Through the 1920's and early 1930's the labor policies of city dock owners were operant in maintaining and taking advantage of the city's surplus of labor. Like hoboemia's Howard Street, The Embarcadero became known to longshoremen, bargemen, seamen, warehousemen, and teamsters, some of whom were residents of South of Market, as a "slave mart." Labor relations on the San Francisco waterfront were described by one member of the International Longshoremen's Association (ILA) as "not those of employer and employee, but of masters and slaves."<sup>88</sup> By this, the ILA meant that since the men had been unorganized after organized employers broke a seamen's and longshoremen's strike in 1919, they were thus subject to the exploitation similar to that of their migratory casual cousins, the hoboes. Uneven distribution of work, an oversupply of labor, and great competition for jobs made for low wages. Because employers were able to casualize labor, that is, open it to any comers, men were forced to stand around all day or move from dock to dock in the hope of obtaining a few hours' work by late afternoon. (On the other hand, shipowners complained that there was a constant turnover of their crews.<sup>89</sup> Seamen, confined to a ship for months at a time and without an effective union, also drifted off once ashore.) Despite the presence of such working conditions at the heart of the port city's economy, one labor writer claims most San Franciscans regarded these casualized workers as a "semi-underworld element," "misfits," and "failures."<sup>90</sup>

While the waterfront workers may have shared community opprobrium with residents of hoboemia, in 1934 they were finally able to gain the sympathy of the larger community through their three-month strike, led by the ILA, against their combined employers. The struggle came to a head in July, when pitched battles and guerrilla skirmishes with police ranged for several days along The Embarcadero and other streets of the warehouse district adjoining it South of Market. While the first day became renowned as "Bloody Thursday," it was also known as the "Battle of Rincon Hill" for the thousands of on-lookers who watched from the hillside overlooking the warehouse district.<sup>91</sup> Most of the city's work force joined in a three-day general strike protesting police tactics which had led to the killing of two longshoremen and the injuring of hundreds of others. Though a potent victory, it seems likely, however, that it was gained at the expense of some, if not many, of the unorganized laborers who also sought these



dock jobs, since many more men than usual were living in San Francisco as a result of the Depression.<sup>92</sup>

Also thriving on San Francisco's concentration of the idled and impoverished during the Depression were the local missions. Their exact number is unknown, but in the 1930's they were located near the intersections of Third, Fourth, Howard, and Folsom streets.<sup>93</sup> The area must have seemed a veritable pit of the damned. Where else could a group dedicated to saving souls find—every winter—so many propertyless, unmarried, shiftless, most often jobless, and many times penniless men unattached to any particular denomination? While the mission people believed they could relieve the spiritual destitution suffered by the men who came to them, the men who visited the missions, especially in times of general distress, looked for sustenance in the form of food and coffee and possibly a floor on which to pass the night. The following report of a mission meeting on Third Street in December, 1935—attended by a field worker for the State Relief Administration (SRA) of California—illustrates the strained relationship:

I went in at 7:45 (p.m.) and found three men already waiting on the back row of seats. The house has a capacity of about 300. The pulpit and choir seats are on a platform at the south end. At the back of the room is an improvised service counter and along one side wall are oil-cloth covered shelves where men may stand and eat.

By 8 o'clock 46 men had gathered and when the services started at 8:25 there were over 100 present. Most of the two hour service was comprised of testimonials by the mission worker, sandwiched in between very snappy songs with the accompaniment of a piano, two banjos, two saxophones, and a clarinet. The leaders were all very young men and girls, who sang sacred songs to jazzy popular tunes. They maintained an atmosphere of optimism and joyful enthusiasm throughout the service. A short sermon was preached by a young, attractive woman who appeared to be between 20 and 25. There was no response to invitations to come to the altar.

By the end of the meeting there were about 250 men and boys present—the hungriest, dirtiest, most ragged looking group I ever beheld. They gave one the feeling that they were probably the dregs or residue which had been turned down by all the other agencies in the city. The stark hunger and dejection expressed on many faces shouted out a contrast to the young smiling faces on the stage.

With the resounding "Amen" of the benediction, a mad dash was made toward the corner of the room where the food line started. . . .<sup>94</sup>

This captive audience evidenced hoboemia in its latter days, its color fading and many more of its inhabitants clearly destitute. Although they did not come to the mission as suppliants and remained unregenerate during the service, their disdain did not carry over to accepting food; they could not afford to be particular in their choice of benefactors. Such dependency was different from reliance on the "slave market," where one could possibly choose among job listings, walk off the job, or conceivably put away some savings from the work secured. In the 1930's, an ex-hobo or new transient had only the choice of moving on to another mission.

While certain Depression relief measures mitigated in confused fashion some of the more disastrous effects of capitalism, they also hastened the decline of hoboemia into a skid row, fixing the area as one for the most marginal members of the labor force. As in the depression of the mid-1890's, large numbers of job-

less men made their way to the cities. In the 1930's, however, federal and state-sponsored make-work programs initially allowed authorities to remove some of the newly transient population from the cities by setting up work camps to absorb them in the countryside. In California, however, these camps were being closed down at the same time that a new army of migratory workers entered the state, many by car, between 1933 and 1939.<sup>95</sup> Where there had been twenty-one camps in 1933, only two were left in mid-1936. The in-migration also had the effect of displacing even more professional fruit tramps, who helped harvest various fruit crops and whose numbers had been dwindling since the 1920's. Many of these migrant and camp men were forced to return to cities throughout the state, including San Francisco. In addition other unemployed men were turned out by the federally sponsored Transient Shelter and its subsidiary private agencies when federal funds were cut off in September, 1935.<sup>96</sup> Private and local agencies, especially the Salvation Army, were expected to take care temporarily of these new able-bodied charges, but evidently with scant state funds.<sup>97</sup>

The SRA observer in San Francisco found these men in several places. The City and County Shelter put up an average of 300 homeless men, among them "clearly unemployable" locals, every night during December, 1935, and January, 1936. Others, not distinguishable as either local homeless or transients, relied on the missions at least for meals. At the one mission the SRA observer visited regularly in 1935, each night several new men would join the others, displaying the same tolerance towards their benefactors that he had recorded in the passage quoted above. While younger, newly uprooted men were shunted between country and city where they showed up in missions, local resident homeless men were given cheap meal tickets for restaurants around Third and Howard streets. Some were put up in places like the New York House on Howard between Third and Fourth streets, a flophouse with small cubicles for rooms (but not exceptional in that respect). In December, 1935, the SRA field worker discovered some fifty men in the hotel's reading room; sixteen elderly "unemployables," a few boys, and many men aged 45-50. Many of the fifty were living on SRA funds, and few were transients.<sup>98</sup>

A further example of the prevailing confused relief policy that concentrated the most economically and socially marginal men in this area of the city is supplied by the SRA office located on Tenth between Harrison and Bryant streets. In the winter of 1935-36—with the local Transient Shelter closed, many work camps closing all other the state, and work being taken up by migrant families—it was the policy of the office to give no local care if a man was considered employable at a camp. Thus, many employable men were taken from the city (although many others did not show up for the trucks). Meanwhile, of the families who asked for relief (few relative to the numbers of single men), only half received assistance, and the rest were told to leave San Francisco. As to their fate, SRA reported that "it was not known what happened to the hundreds of . . . persons who were turned away."<sup>99</sup> Evidently, most families learned not to come to the cities to obtain relief or did not rely on it. The effect of these policies was to confirm one area of San Francisco for usage by single middle-aged and older men deemed unemployable. A skid row—a receiving and holding center for men continuously out of work and living near subsistence level in pool rooms, cheap

restaurants, flophouse-hotels, bars, winestores, on the sidewalks, and in the missions—had emerged. With only one private and one state employment agency remaining, the city's "slave market" had virtually disappeared. Some skid rowers expanded their begging business to Market Street.

In the same December the SRA observer beheld other scenes of the Depression bottoming out. One night on Howard between Fourth and Fifth streets, he found an estimated 1500 men, mostly middle aged or older and many drunk, on the sidewalks and in the restaurants, pool halls, and wineshops. Several were passed out on the street. A night later he took in the same scene: "mobs of men," many talking to themselves, moving about between Third and Fifth streets on Howard. He further reported that "mission workers, the police, and others who have had dealings with the homeless men in San Francisco for 30 or 40 years, stated that the amount of drunkenness was far greater than it had ever been before and seemed to be steadily increasing." They also observed that it seemed to be the "drinking of despair and misery," unlike the gaiety and occasional violence that had characterized drinking in previous years.<sup>100</sup>

In contrast to the destitute South of Market residents were the hundreds of employable young men the SRA field worker discovered turning out at the ILA hiring hall at Clay Street and Embarcadero on the north side of Market Street. Most were in their early twenties, few were drunk, and all were evidently members of the ILA. The observer also emphasized that the laborers he saw on the South of Market side of The Embarcadero were playing craps or sitting on benches talking and laughing in, to him, an altogether healthier setting.<sup>101</sup> The future must have seemed to be not only with the young, but with the organized.

What is striking about the scenes South of Market that this observer witnessed is their very visibility; they occurred either on the street or in quarters to which a transient like himself had easy access. While those scenes on skid row have an emblematic quality which reveals through the abject misery of the relatively few unattached men the immense demoralization experienced by millions of others who found themselves in a bread line, soup kitchen, or camp, or on a dole, they should not obscure the fact that other men in the same area managed to obtain some kind of work. Isolating the South of Market "corridor" again, the 1940 census showed that 43 per cent of the over-14 male population of 15,060 participated in the non-public emergency sector of the work force, while another 9.5 per cent were in various agencies of the public emergency sector (WPA, the National Youth Administration, and others).<sup>102</sup> Nevertheless, 20 per cent were unemployed, while another 12 per cent were considered disabled. Still another 16.5 per cent fell under the categories of "not reported" and "other" (a term that in 1950 covered students, seasonal workers in an "off" season, the retired, disabled, and inmates of institutions).

In conjunction with the creation of a skid row, the depression introduced an irreversible decline of recreational facilities in South of Market. The five billiard parlors of 1940 were less than half the number of 1930 and a third of the number of 1920; by 1950 there were three, and, by 1960, only one was left.<sup>103</sup> Similarly, the coffee houses went into decline, and the bars and saloons did not openly handle either bookie or card gambling after the state gave localities the option to outlaw these activities in 1938. Prostitutes also appeared to have de-



serted the area in this period, moving north of Market, west of the retail area.<sup>104</sup>

Between 1940 and 1945, heavy unemployment no longer visibly characterized South of Market, as the huge work demands of World War II ushered an entirely new hotel population into the whole city. Tens of thousands of newly arrived ship-building workers commuted to the outlying cities of the metropolitan region, making San Francisco "something of a dormitory metropolis" during these years. Military personnel stationed either temporarily or longer were also put up in hotels.<sup>105</sup> What befell the men of skid row during this period is unknown: one analyst asserts that "the populations of skid rows throughout the country nearly disappeared."<sup>106</sup> Certainly, the greater number of the unemployed, described in the census as mostly experienced male workers, went into war production or into the armed forces. Locally, one clue is offered by the transformation of St. Patrick's (St. Vincent de Paul's) Shelter for Men into St. Vincent de Paul's Center for Servicemen.

The large influx of workers and military personnel might conceivably have revived South of Market's reputation as a quarter for carefree single men, but the large interim hotel population of these years does not seem to have left a lasting mark. After the war, as before, the relatively inexpensive hotel district still camped permanently between the central business district and financial district across Market Street, and the wharves, warehouses, and small manufacturing concerns that had been sprouting South of Market since the area was zoned for light manufacturing in 1921.<sup>107</sup> There were families, too, as there had been since 1907, but unattached men still predominated in 1950; two-thirds of the men in the corridor were either single (the largest category), widowed, or divorced. In the remaining area South of Market (between Third, Harrison, and Channel streets) which held the greatest percentage of families of the four census tracts, over 50 per cent of the men were unattached. In 1940, moreover, this area shared with South of Market as a whole similar rates of employment, unemployment, public and non-public work, and "not reported" statistics.<sup>108</sup>

Wartime did bring about one obvious change that occurred elsewhere in the city and in all northern cities at that time: South of Market emerged in 1950 with almost nine times the black population it had held before the war, though blacks still constituted only about 10 per cent of the overall population of over 22,000. This recently arrived group was part of the great wartime migration of workers which followed upon the heels of the numbers of Chicanos who had begun to move into South of Market in the early 1930's.<sup>109</sup> Other than Chicanos, "Asians" alone of all the foreign-born population increased, and only slightly. During the 1950's, the southwestern half of South of Market served as a reception area for a Filipino population of seasonal migratory workers.<sup>110</sup>

The only other noteworthy change in demographic features was the increase among the elderly who came to live South of Market. While the group of men over 60 made up 28 per cent of the male population in the dense corridor in 1940, they represented 33 per cent in 1950. They were the only age bracket over 30 to grow in this period, while the number of men over 30 declined as a whole.<sup>111</sup> These figures suggest that the area enlarged its function as a retirement center not confined to former hoboes. The network of hotels and cheap restaurants that remained after the war serviced not only the low-income population still work-



*At the foot of Rincon Hill (left), police and waterfront workers clashed on "Bloody Thursday" in July, 1934. Sympathizers involved in the three-day general strike protesting police tactics looked on from above.*

San Francisco Public Library

*When the Depression came to Howard Street (right), men who before had frequented the corridor between jobs found less work and spent more time on the street. Photo by Dorothea Lange.*



Library of Congress





San Francisco Public Library

*Skid row's retirees, winos, and other jobless men congregated on Howard Street in the 1950's (above) to take advantage of its cheap hotels and restaurants.*

ing, but men living on fixed pensions or welfare, or both. There remained, in addition, the perennial advantages of South of Market: it was one of the sunniest and flattest areas in the city, making it pleasant and easy for elderly people to get around, and it was near the city's transportation hub, Market Street.

The advantage of having such an area to repair to became more important for single men as public housing policy excluded these men from its doors.<sup>112</sup> For men still working, moreover, South of Market offered perhaps one of the few places in the city where work and residence neighborhood could be joined, whether that meant work at the nearby *Chronicle* or *Examiner* offices and plant, on the docks, in factories, or in restaurants. In 1950, the male working population was almost equally divided among white collar, skilled, semi-skilled, and unskilled workers, with only "service" workers having half again the numbers of each of these categories. This work force nevertheless only accounted for 41 per cent of the male population over age 14. As in 1940, 20 per cent were unemployed, while a full 39 per cent (including seasonal workers, the retired and disabled, and inmates of institutions) were not considered as part of the labor force.

These last statistics point to the longevity of another characteristic of the area since the abandonment of Rincon Hill and South Park by the well-to-do. It remained an area of the poor and, with the desertion of the older immigrant groups by the end of World War II, of the politically powerless, as well. Three of the four census tracts showed population earnings less than half of the city's median income, while the other earned about two-thirds of it.<sup>113</sup> The Irish and Greeks, known for their power in city hall, had dispersed into other districts, while the Jewish synagogues and German churches had departed long before in the 1920's. In their places, in 1951, stood six permanent missions between Third and Sixth,

**OPPOSITE:** *By 1953 the link between country work and city living had nearly disappeared, and skid row had become a year-round home. Taking advantage of South of Market's sunny weather, men passed idle hours on the sidewalks of Howard Street.*



Mission and Howard streets, while half a dozen Protestant fundamentalist churches, presumably serving the black community, appeared in the 1950's along Third beyond Folsom Street.<sup>114</sup> The "slave market" which had revived somewhat during the war to half the number of agencies that existed in the 1920's, disappeared in the 1950's, though there was still some street corner casual labor contracting.<sup>115</sup> The heyday of South of Market as a center for the export of hobo labor throughout the West and the Pacific had come to an end. In turn, a decline of the second-hand clothing market set in; stores did not entirely disappear, but strung out mostly along Howard Street and Sixth Street. What remained of the second-hand goods market, eight locations on Howard between Third and Fourth streets in 1951, was obliterated in the late 1950's by a clearance operation for a privately financed urban renewal project.

Otherwise, the physical appearance of the area and the daily routines of its inhabitants remained relatively static through the 1950's and mid-1960's. Thousands of other San Franciscans and suburbanites came to work there; heavy traffic crawled and growled along the wide avenues and squeezed along the alley-sized streets. Faces changed in the transient hotels alongside the residential ones, and the missions and Salvation Army stayed on duty. On the whole, the proposed Yerba Buena Center's boundaries encompassed a rather sedentary community in comparison to its widely traveling earlier inhabitants. The rounds of drink, travel, and experience characterizing what, in retrospect, were boom times for the pre-Depression hobo, had shrunk now to the smaller circuits of the neighborhood, the hotel, the room. South of Market was no longer the setting of massive, visible economic distress, as it had been in the Depression, but the center of the less visible poverty of minorities, the retired, the disabled, and the outcast.

It remained, however, the setting for conflict. It was the residents' great misfortune, so it turned out, to live atop a gold mine. South of Market land offered enormous potential for profits to whomever could make the land available and the terms attractive enough for corporations to invest in building there.

A privately financed foray destroyed the core skid row area on Howard Street in the late 1950's, scattering some residents permanently and driving many liquor stores and winos to Sixth Street. Then, the proposed Yerba Buena Center culminated the Redevelopment Agency's grandiose plans for beginning to reshape the area with federal money and, not incidentally, to drive some 3,500 people out of its boundaries, like so many squatters. It was, in effect, a plan to evict a semi-stable population in favor of wealthier transient groups who could, perhaps, more greatly benefit the city's economy; suburban office workers, shoppers, sports fans, tourists, and conventioners all would use Yerba Buena Center facilities.

In the late 1960's proper usage of land was disputed between neighborhood and agency, and conflict centered around the question of where the hotel-dwellers would go. Not until many people had been driven out or evicted did it become clear that there was no low-rent area like it in the city. Then, older long-term residents of the area, suddenly realizing they would be summarily uprooted, formed the Tenants and Owners in Opposition to Redevelopment (TOOR). However belated its response, TOOR's strong community organizing

and adamant litigation efforts were partially successful. TOOR was able to obtain injunctions against a large number of evictions, and, in the spring of 1973, it forced the San Francisco Redevelopment Agency to agree to provide roughly 400 units of low-cost housing alongside the proposed urban renewal project and 1500 units in residential hotels elsewhere in the city. Had it not been for TOOR, hotel residents would have been forcibly dispersed to higher rent areas of the city. As it is, however, the larger part of the hotel society will disappear permanently from South of Market. What effects the Yerba Buena Center will have on the groups remaining have yet to be seen.

# NOTES

1. 1853 U.S. Coast Survey Map #627; cited in James E. Vance, *Geography and Urban Evolution in the San Francisco Bay Area*, 1964, p. 19.
2. Marie Carlberg, "South of Market History," for the San Francisco Redevelopment Agency, April 9, 1952, pp. 3-4.
3. Albert Shumate, *A Visit to Rincon Hill and South Park*, i (San Francisco: Yerba Buena Chapter/E Clampus Vitus, 1963).
4. Carlberg, *op. cit.*, 3.
5. *Ibid.*
6. *Ibid.*, 3-4.
7. Mel Scott, *The San Francisco Bay Area: A Metropolis in Perspective*, 31 (Berkeley and Los Angeles: University of California Press, 1959).
8. Shumate, *op. cit.*, 3. The Mission area, more than a mile south of Third Street, was the site of various recreations including horseracing.
9. Margaret Goddard King, *The Growth of San Francisco, Illustrated by Shifts in the Density of Population*, M.A. thesis, University of California Berkeley, June, 1928, p. 49. King says Happy Valley was located between First and Second, Market and Mission streets.
10. Carlberg, *op. cit.*, 4.
11. San Francisco *Chronicle*, "Tar Flat," September 15, 1928.
12. *Ibid.*, October 9, 1928, quoted in Kay Martin, "Evolving Neighborhood: Rincon Hill and South Park. San Francisco," paper in urban geography, p. 3.
13. Martin, "Evolving Neighborhood," 3.
14. George Barron, *The South of Market Journal*, Vol. II, No. 5, December, 1926, p. 13, quoted in Martin, *op. cit.*, 3.
15. Vance, *op. cit.*, 21.
16. Shumate, *op. cit.*, 13-14.
17. Cited in Arthur Calder-Marshall, ed., *The Bodley Head Jack London*, 192-93 (London: The Bodley Head, 1963). London, a socialist, made the Slot into "the metaphor that expressed the class cleavage of society." But he was wrong about the hotels; many of the "abodes" South of Market were hotels or lodging houses. London himself was born near Third and Brannan streets in 1876, off South Park.
18. Robert Louis Stevenson and Lloyd Osbourne, *The Wrecker*, 160-61 (New York: Charles Scribner's Sons, 1911). Dr. Shumate, cited above, believes that the authors were describing Rincon Hill.
19. Kate Douglas Wiggin, *My Garden of Memory: An Autobiography*, (Cambridge: Riverside Press, 1923). This upper-middle class young woman found Tar Flat a "crowded, untidy, noisy, ugly," "smelly," "rude," "vulgar" neighborhood.
20. Shumate, *op. cit.*, 10, quoted in Martin, *op. cit.*, 4-5.
21. Scott, *op. cit.*, 62-63.
22. *San Francisco City Directory*, 1879-1880, pp. 943-945, 989, 1006-1009.
23. *Ibid.*, "Progress of the City," 26.
24. Scott, *op. cit.*, 26.

25. Shumate, *op. cit.*, 16. Listed under "Sinful Amusements" in the 1883 *History* of the Howard Methodist Church were "dancing, playing at games of chance, attending theatres, horse races, dancing parties."

26. Carey McWilliams, *Factories in the Field*, 26-27 (Boston: Little Brown and Co., 1939).

27. Lewis, *op. cit.*, 139-140. The Chinese had previously been driven from work in the gold mines in the 1850's, had built the first transcontinental railroad, and had been sporadically attacked by white workers for having been hired at wages that most white workers would not accept.

28. *City Directory*, 1882-1883, p. 96.

29. Felix Riesenbergh, Jr., *Golden Gate: The Story of San Francisco Harbor*, 218-23 (New York and London: Alfred Knopf, 1940).

30. Walton Bean, *California: An Interpretive History*, 293-94 (San Francisco: McGraw Hill, 1968).

31. Nels Anderson, *The Hobo, The Sociology of the Homeless Man*, xv (Chicago: University of Chicago Press, 1923, first Phoenix Edition, 1961).

32. *City Directory*, 1890, p. 1433; 1899-1900, p. 1902.

33. C. K. Jenness, *The Charities of San Francisco: A Directory*, San Francisco, 1894.

34. *City Directory*, 1899-1900, p. 55. A separate women's shelter was located nearby.

35. One fourth of the total population was found between The Embarcadero and Third Street, Third and Fifth streets, Fifth and Seventh streets, and Seventh and Eleventh streets, though blocks between Eighth and Eleventh, The Embarcadero and First Street, being one-half the size of the others. South of Market was a densely packed district as well.

36. Shumate, *op. cit.*, 17.

37. *City Directory*, 1892, pp. 65-68.

38. This demographic information was kindly supplied by Alan Emrich, doctoral student in comparative urban history from the University of Chicago. It is taken from his tables on German, Irish, and City Occupational Structure in 1900 and on mobility for the years 1871-1876, 1880-1885, and 1890-1895. Emrich shows that population up to Seventh Street, representing about 15 per cent of the city's 1900 population, made up about 23 per cent of its unskilled workers and over 17 per cent of its skilled workers. These workers comprised over two-thirds of the working population in that portion South of Market, whereas throughout the city these categories counted for 56.5 per cent of the population. The same area housed easily the highest concentration of Irish workers and the second highest ward population of German workers in the city. The percentage of workers/population for the area from The Embarcadero (waterfront) to Seventh Street rose from roughly 60 per cent in 1871, 1880, and 1890, to 70 per cent in 1900.

39. *Ibid.*

40. Figures quoted in Carleton H. Parker, *The Casual Laborer and Other Essays*, 121 (New York: Harcourt, Brace, and Howe, 1920). These figures seem excessive.

41. Anderson, *The Hobo*, xvii-xviii.

42. Lewis, *op. cit.*, 187.

43. *Thirteenth Census of the United States, Taken in the Year 1910: Volume II, Population 1910*, (Washington, D.C., 1913), p. 186. The exact boundaries of the area were: 1) The Embarcadero at Market-Market-Fourth-Folsom-Third-Bryant-The Embarcadero; 2) Fourth at Market-Market-Seventh-Mission-Sixth-Bryant-Third-Folsom-Fourth-Market; 3) Seventh at Market-Market-Tenth-Howard-Eleventh-Bryant-Sixth-Mission-Seventh-Market. The exact number of families was: 1) 751; 2) 694; 3) 1,448.

44. Lewis, *op. cit.*, 228, 257; Scott, *op. cit.*, 112.

45. Interview with George Maheras of the San Francisco Redevelopment Agency, a resident of South of Market between 1906 and 1946.

46. Interview with Eneas Kane, head of the San Francisco Housing Authority.

47. *Thirteenth Census*, *op. cit.*

48. Lewis, *op. cit.*, 201; conversation with Fred Meynerd of the Hotel Rock on Fourth Street who came to San Francisco in November, 1906, to work as a mechanic and plumber; "Room for More Workingmen in San Francisco," in *Modern San Francisco 1907-1908*, n.p. (San Francisco: Western Press Association, 1908). Income figures for reconstruction workers



were given as: \$76 million for skilled building trades workers, \$52 million for hod carriers, cleaners of debris, teamsters, and day laborers. This publication may have been published by the Chamber of Commerce.

49. *City Directory*, 1907, pp. 1868-1869, 1907. About two-thirds (93/138) were within this area.

50. State Relief Administration of California, *Transients in California* (1936).

51. Parker, *op. cit.*, 119, reports this double role of the saloon. Information about this continuation of the "free lunch" tradition came from interviews with several older residents of South of Market.

52. *City Directory*, 1920, pp. 1714, 1768, 1917.

53. Interview with George Hasslebeck, 86, lifelong Wobbly, migratory casual worker and recurrent resident of South of Market since the time of the earthquake, now a resident of the Knox Hotel on Third Street; information from Sanborn Insurance maps for 1913, corrected to 1929 (San Francisco Public Library), and 1918 (S.F. City Planning Commission).

54. Parker, *op. cit.*, 80, 83; McWilliams, *op. cit.*, 164. Parker says that his commission found the 40,000 lying up in the "foreign quarter" of the city. Although this might refer to a number of areas of the city, I am inferring that he meant South of Market; its flophouses, hotels, and missions were established institutions by 1913-1914, even if they were unable to handle the unusual number of migratory workers during that depression. Parker also calculated that of 180,000 migratory workers in the state, fully 100,000 would go without winter employment.

55. King, *op. cit.*, 154.

56. Interview with Eneas Kane; interview with Fred Meynerd. Mr. Kane often worked with his father on his Special Police beat that covered the area between Second and Fourth, Howard and Harrison streets, between 1924 and 1931. Meynerd has lived at the Hotel Rock permanently since 1932.

57. Interview with Mr. Desmond, 87, a resident of the Hotel Rock. He said the gambling made "Reno look like penny ante."

58. Kane, *op. cit.*

59. Meynerd, *op. cit.*

60. Interview with George Wolff, native San Franciscan and co-chairman of TOOR; Anderson, *The Hobo*, 248.

61. Parker, *op. cit.*, 69.

62. Lewis, *op. cit.*, 227; John Haskell Kemble, *San Francisco Bay: A Pictorial Maritime History*, 20, 60 (Cambridge, Md.: Cornell Maritime Press, 1957).

63. Samuel E. Wallace, *Skid Row as a Way of Life*, 20 (The Bedminster Press, 1965).

64. *Ibid.*, 18. Both names are given.

65. Conversations with Kane, Meynerd, and with John Kiley and Jimmy Connolly, residents of South of Market for fifty and forty-eight years, respectively.

66. Wallace, *op. cit.*, 18.

67. Nels Anderson, *Men on the Move*, 12-13, 38, 170 (Chicago: University of Chicago Press, 1940). Anderson writes in 1940 of Chicago, the "capital city" for migratory workers, that "one does well to find traces of the open-market town of 1922."

68. Parker, *op. cit.*, 74. Parker, while investigating for the state of California the relation between labor camps and the high turnover of migratory workers, rated only 34 per cent of the camps in good condition, while 36 per cent were fair and 30 per cent were bad. In regard to sanitation, for example, 29 per cent of the construction camps and 25 per cent of highway camps had no toilets whatsoever.

69. Kane, *op. cit.*

70. Wallace, *op. cit.*, 18-19.

71. *Ibid.*, 78-79.

72. *Ibid.*, 79.

73. Anderson, *Men On the Move*, 292. Anderson describes how membership multiplied in the IWW and hobo organizations in summer, the work season for most men, and diminished in winter. The IWW philosophy of direct action at the place of work accounted for some recruitment, while in winter there was too little work for such a method of organization. Nor

in winter did so many hoboes ride the rails, where having an IWW membership card was helpful in getting by yard guards.

74. Wallace, *op. cit.*, 80-81.

75. Towne Joseph Nylander, *The Casual Laborer of California*, M.A. thesis; University of California Berkeley, 1922, p. 17; State Relief Administration, *op. cit.*, 170; Mike Henry, "Where Do You Go from Here?" in *San Francisco Good Times*, 4:8-11 (July 9, 1971).

76. Parker, *op. cit.*, 78. "These figures [on the relatively short staying-on rate of casual workers on railroads] bear out the employment agency proverb that there are three crews of men connected with the job, one coming, one going, one on the job."

Hobohemia had its own social hierarchy. At the top were the seasonal workers, also known as "aristocrat hoboes," who followed only one occupation that occurred seasonally. At the bottom were bums, who stayed in one city and were able to make panhandling or begging their major means of subsistence. In between were hoboes, tramps, and the home guard. Anderson makes clear in *The Hobo* that there was a constant fluctuation among all these groups; a man might pass into any other category, but apparently usually moved downward.

77. Wallace, *op. cit.*, 81.

78. Parker, *op. cit.*, 17. According to Parker, in 1910, 3.5 million of 10 million unskilled workers "moved by discharge or quitting so regularly from one work town to another that they could be called migratory labor." He claims that such an unstable migratory existence was decisive in eroding typical family life and led to the deprivation of legal and social rights that characterized hobo life. Parker was also much concerned over the "neurosis" this life developed among men who perpetrated the "strikes-in-detail," acts which, he claimed, rendered the men permanently "maladjusted," rebellious, or violence-prone.

79. *The Dependent Aged in San Francisco*, University of California Publications in Economics, Vol. V, No. 1, pp. 73-74 (Berkeley: University of California Press, 1928). Interviews on which the report was based occurred in January-February, 1925. See Chapter 5, "The Homeless Old Man in San Francisco."

80. *Ibid.*, p. 76. This comment may indicate disapproval of the ex-hoboes' desire to avoid working, as much as of the economic system. The authors may have had in mind an economic system where "earning power," or labor power, was tapped more effectively. Nels Anderson in *The Hobo* had specific programmatic suggestions for state intervention into the community arrangements of the hobo labor network, changes that would upgrade living standards and make this sector of the work force healthier. He advocated, for example, compulsory medical check-ups and standards for hotel cleanliness.

81. *Ibid.*, 77.

82. *Ibid.*, 71-72.

83. Anderson, *The Hobo*, 263. In addition to the "home guard," the term also included hoboes, tramps, and bums.

84. Anderson, *Men On the Move*, 272.

85. Melvyn Dubofsky, *We Shall Be All: A History of the Industrial Workers of the World*, 447 (Chicago: Quadrangle Books, 1969); McWilliams, *op. cit.*, 197.

86. *The South of Market Journal*, Vol. 6, No. 1 (January, 1931), p. 10. The same evidence might indicate that the area quartered many more men than usual, overflowing hotels and flophouses, and that these men looked for local work or relief.

87. J. Henry Ohlhoff, "A Story of the Canon Kip Community House, Inc.," San Francisco, 1948, p. 10. A copy is in the files of the Canon Kip Community House at Eighth and Natoma streets in San Francisco.

88. Mike Quin, *The Big Strike*, 31 (Olema, California: Olema Publishing Company, 1949); quoted from *The Maritime Crisis*, a booklet of the San Francisco local of the ILA, 1936.

89. *Ibid.*, 31, 36. Crew turnovers appear to have been an intermediate measure—neither a strike of numbers nor strikes-in-detail—specifically adapted to seamen's working conditions and indicative that even the federal legislation of 1915 protecting seamen from being shanghaied did not substantially improve those conditions.

90. *Ibid.*, 29-30.

91. Riesenbergh, Jr., *op. cit.*, 323.

92. John N. Webb, *The Migratory-Casual Worker*, 11, 12 (Research Monograph 7 of the

Division of Social Research, WPA), (Washington, D.C., 1937); Kane, *op. cit.* Webb cites the following advantages that accrue to employers given a large surplus of workers: a) the wage rate is kept low; b) there is some selection of the working force; c) immediate replacements are available; d) surplus laborers serve as a check on the workers who organize to improve their conditions.

Kane's father, an organizer of a blacksmith and horseshoer's union, recalls that after unionization of longshore work, an unemployed man would go to a union hall to join the union and thereby find a job. He would be told by the union, however, to find a job first. Visiting an employer, he would be told hiring was no longer in his hands, and he would have to go back to the union, and so on.

Together, these sources suggest the conclusion that the unionization of longshore work excluded casual laborers from dock work.

93. State Relief Administration, *op. cit.*, 170, 187. To what extent the work camps were intended to forestall or defuse urban discontent is not clear.

94. *Ibid.*, 188.

95. McWilliams, *op. cit.*, 307-308. The best known group of the migration, the Dust Bowl refugees, made up about a third of it.

96. From an interview with Robert DeVelvis of the San Francisco City Planning Commission, who worked for the SRA in the 1930's. The shelter was located on The Embarcadero.

97. State Relief Administration, *op. cit.*, 3, 25, 34, 174. The City Emergency Relief Committee arranged with the Salvation Army and, temporarily, with the Volunteers of America in order to combine their privately raised funds with city funds to lease several hotels for the purpose of providing shelter for their combined permanent unemployables and transients.

98. *Ibid.*, 171, 175, 177, 186.

99. *Ibid.*, 175, 190; also table 21. In the period between December 16, 1935, and January 26, 1936, 15 agencies handled 10,332 applications for aid from men and boys, 217 from women and girls, and 154 from families.

100. *Ibid.*, 170-171.

101. *Ibid.*, 172-173. Both the SRA observer and Mike Quin display a pro-organized labor bias, instinctively or deliberately setting off the scene of union struggles or unionized work (primarily around The Embarcadero) from the rest of South of Market and skid row.

102. The "corridor" was slightly altered in 1940 due to a change in the census tracts. The boundaries of tract K-1 were Market, Third, and the bay, along with Treasure Island and Yerba Buena Island; of K-2, Third to Eleventh, Market to Howard; of K-3, Third to Eleventh, Howard to Harrison. In 1940 and 1950, K-1 included Yerba Buena and Treasure Islands.

103. *City Directory*, 1930, 1940, 1950.

104. Kane, *op. cit.*; Vance, *op. cit.*, 23.

105. Scott, *op. cit.*, 253.

106. Wallace, *op. cit.*, 22.

107. King, *op. cit.*, map 13b or 15b.

108. *Seventeenth Census of the United States, 1950: Census Tracts by Cities*; Vol. III, Chapter 49, pp. 2-6, 11, 31 (Washington, D.C., 1952).

109. Ohlhoff, *op. cit.*, 11.

110. From a short interview with Mrs. Balunet, reporter for a local Filipino paper.

111. Comparative figures from the *Sixteenth Census of the United States, 1940: Census Tracts by Cities*, Vol. IV, p. 14 (Washington, D.C., 1942); *Seventeenth Census, 1950, op. cit.* The population was divided into age gradings of ten years: 20-30, 30-40, etc.

112. E. M. Schaffran and Company, *Relocation Survey Report*, prepared for the San Francisco Redevelopment Agency, August, 1967, p. 10.

113. *Seventeenth Census, 1950, op. cit.*, 7, 11.

114. *City Directory*, 1951, pp. 1587-1588; 1960, pp. 158-160.

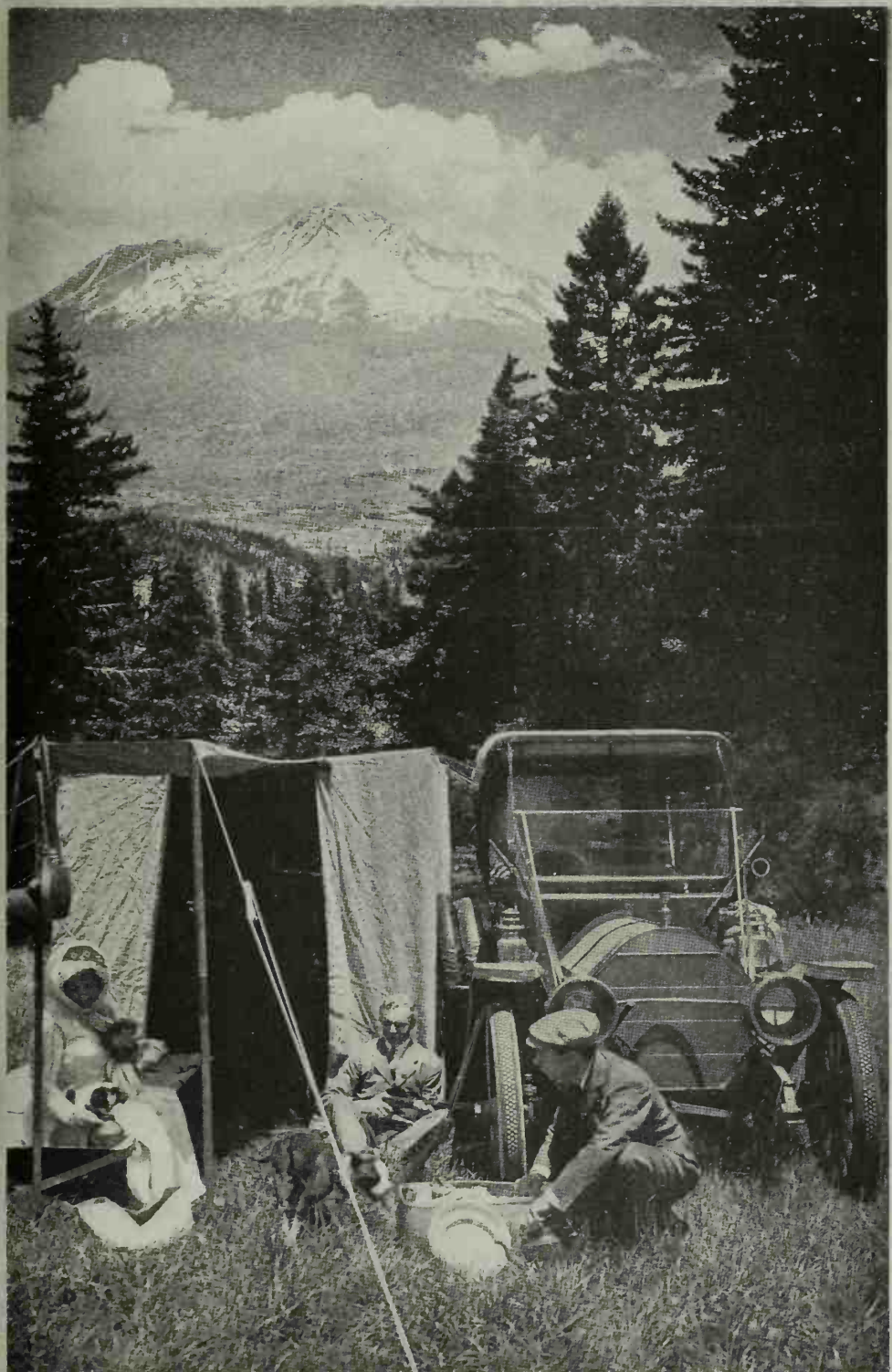
115. Interview with John Ferguson, director of St. Vincent de Paul's Ozanam Center, South of Market.



## Vacation

READERS FAMILIAR WITH *Sunset* MAGAZINE should not be surprised to learn that vacationing has always been a strenuous activity for *Sunset* devotees. Whether car camping in the shadow of Mount Shasta, strolling the boardwalk at Coronado Beach, or spending a day at a Santa Cruz beach, Californians take their leisure seriously. The following sequence of photographs which ran in the June, 1912 issue is typical of the material collected in the new California Historical Society publication, *The Early Sunset Magazine, 1898-1928*, a lively anthology of stories, articles, poetry, and vintage advertisements from the first thirty years of *Sunset*.

Views of Vacation Land



FROM A PHOTOGRAPH BY THE PHOTO CRAFT SHOP

#### THE MOTOR MUST GO TO THE MOUNTAIN

MANY A TOURING CAR IN CALIFORNIA MIGHT BE NAMED "MAHOMET." THE PROPHET'S PRACTICAL EXAMPLE IS MADE EASY TO FOLLOW IN THE CASE OF MT. SHASTA, FOR THE SISKIYOU' ROADS ARE UP TO MOTOR STANDARD JUST AS NATURE MADE THEM. THEY LEAD THROUGH A REGION OF SWEET PINE-FOREST BREEZES AND FLASHING TROUT STREAMS FRESH FROM THE ETERNAL SNOWS OF SHASTA

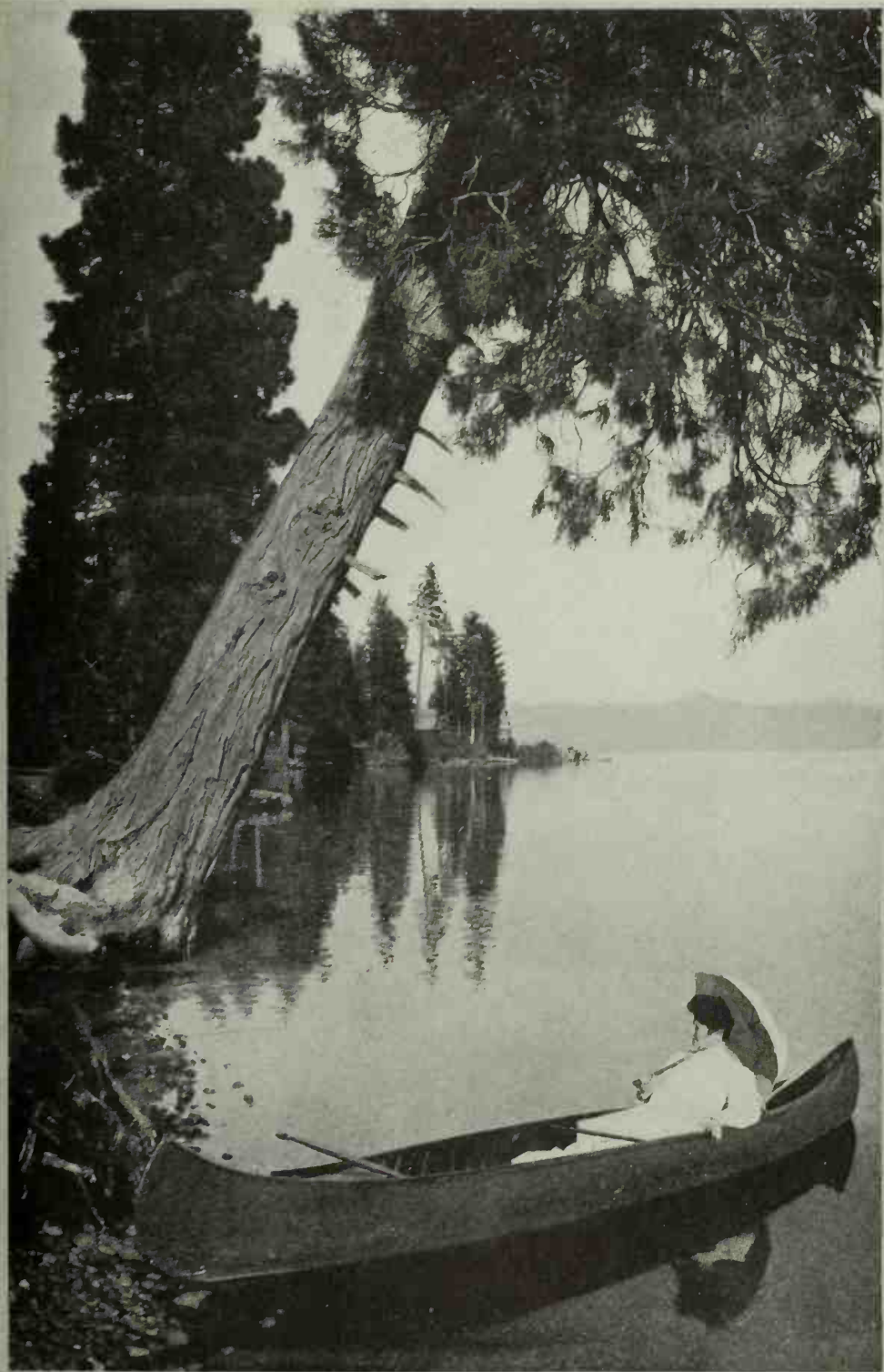


PHOTOGRAPHED AT CORONADO BEACH BY SLOCUM

#### TENT CITY, BY-THE-SEA

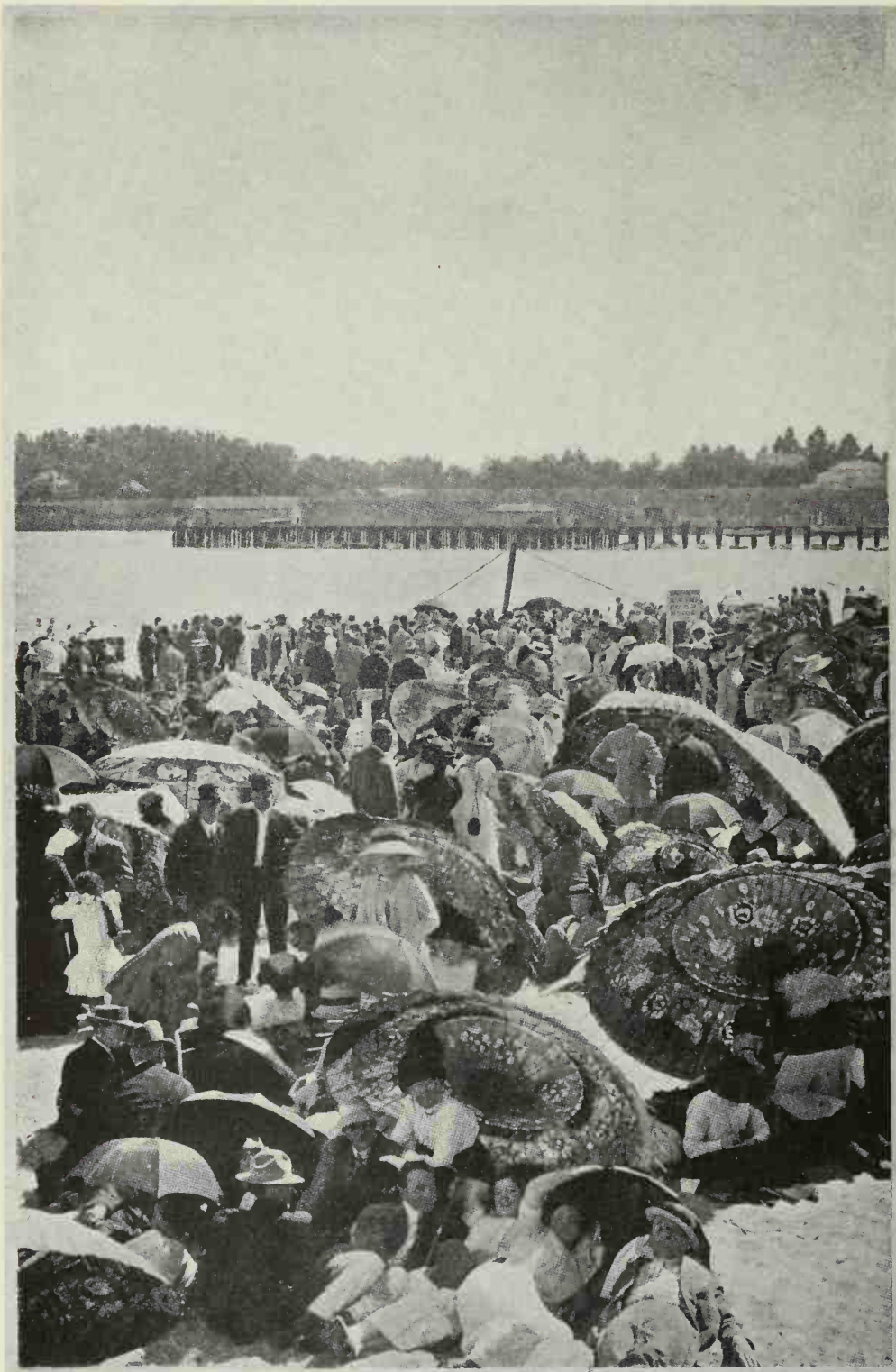
THIS IS NOT THE ESPLANADE OF SOME KING OF THE CANNIBAL ISLANDS, WITH THE THATCHED ROOFS OF THE ROYAL PALACE FACING A PART OF THE SOUTH SEAS. THE PREVAILING DIET HERE IS PEANUTS, POPCORN AND PINK LEMONADE. THIS IS A SUMMER HOME OF JOY-IN-LIFE, RULER OF VACATION LAND AND KING OF THE WORLD IN HIS SEASON. THE SOUTHERN SEA UPON WHICH IT FACES IS THAT PART OF THE PACIFIC WHICH SMILES IN THE BREEZE-TEMPERED SUNSHINE OF CALIFORNIA





#### THE LADY OF THE LAKE


LAKE TAHOE, SPREADING BETWEEN SNOW-PEAKS, IS ABOVE THE POISON-OAK LINE AND IS A PERFECTLY SAFE PLACE TO SPEND THE SUMMER, PROVIDING YOU DO NOT "FALL IN." THIS IS A VERY REAL PERIL, HOWEVER, NOT ONLY AT TAHOE BUT AT ANY OF THE LOVELY CALIFORNIA LAKES IN SUMMER, AND UNLESS ONE KEEPS HIS HEAD AND WATCHES WHITHER HE IS DRIFTING, HE MAY BE IN, "HEAD-OVER-HEELS," BEFORE HE IS AWARE



PHOTOGRAPHED AT SANTA CRUZ BY HOWARD C. TIBBITTS

#### THE PARASOLS OF THE PACIFIC

THERE IS A LITTLE FLOWER ALONG THE CALIFORNIA BEACHES CALLED THE SAND VERBENA. AT THE BEGINNING OF VACATION TIME, THIS TINY BLOSSOM APPEARS TO EXPAND TO A MAMMOTH SIZE, AS IN A FLORIST'S CATALOGUE, AND TO DEVELOP AS ASTONISHING COLORS. IT STILL GROWS CLOSE TO THE SAND. EXAMINATION DISCLOSES A GREAT VARIETY OF ANIMATED LIFE UNDER THESE ENORMOUS FLOWERS. THE BLOOMING SEASON HERE IS NOT PARTICULARLY SHORT BUT IT IS EXCEEDINGLY SWEET



# SECRETS OF PISCO PUNCH REVEALED

BEING A TRUE ACCOUNT OF  
THE REDISCOVERY OF SAN FRANCISCO'S  
LONG-LOST FAVORITE OF FAVORITES

WILLIAM BRONSON



o history of the social life of San Francisco would be complete without mention of the Bank Exchange, a barroom that opened in 1854, survived the Earthquake and Fire of 1906, and continued to thrive with ever-widening fame until its doors were closed forever by Prohibition.

The principal foundation for its renown was Pisco Punch, a mixture which, it was said, went down like nectar and came back with the kick of a Missouri mule. Another description is credited to Oliver Perry Stidger who for many years managed the affairs of the Montgomery Block, that fabled building in which the Bank Exchange was located. He likened Pisco Punch to the scimitar of Harroun whose edge was so fine that after a slash a man walked on unaware that his head had been severed from his body until his knees gave way and he fell to the ground dead.

Because of the punch, the bar, which was also nicknamed "Pisco





*The Montgomery Block one month after the Earthquake and Fire of 1906. The Bank Exchange sits behind locked iron doors at the corner. A. P. Giannini's Bank of Italy, which was to change its name to Bank of America and eventually become the world's largest, then occupied offices to the right.*

*Duncan Nicol, proprietor of the Bank Exchange.*





*Duncan Nicol's staff at the time of America's entry into World War I. Nicol, third from left, habitually carried his pince-nez glasses looped over his right ear.*

John's" in honor of an early owner, achieved an international notoriety recounted by Robert O'Brien in his book, *This Was San Francisco*:

Visitors to the Bank Exchange returned to their homes in New York, London and Berlin and restlessly pined for another sip of the potent ambrosia they had tasted in the old gaslit bar on Montgomery Street. To one impressed reporter of the day, the invention of the Pisco Punch did more to advance civilization than the driving of the Golden Spike. "Step," he wrote, "into the foyer of the Hotel Cecil in London and inquire in a loud voice the location of 'Pisco John's' and from a dozen throats will come the reply: 'Southeast corner of Montgomery and Washington Streets, San Francisco, America!'"

Such was the adulation enjoyed by the Bank Exchange as long as it lasted. But in the intervening years since, the loss of the recipe has eclipsed memories of the bar and the drink itself in the mystique of Pisco Punch. The recipe for the punch was by all accounts carried to his grave by Duncan Nicol, the Scottish immigrant who presided over the establishment from the late 1870's until its closing. The precious formula had been given to him by the previous owners, Orrin Dorman and John Torrence, and Nicol maintained the tradition of secrecy they had established to the end of his days.

San Francisco is rich in stories of the loss and the historians' words ring with an authoritative finality. O'Brien, for example, tells of a press interview held at the time of the Bank Exchange's closing:

... What was the something added? What made it so terrific? ... Reporters badgered him for the answer. What difference did it make now? they demanded. But Nicol stood his ground. "Even Mr. Volstead," he replied firmly, "can't take the secret from me." When he died in San Francisco in 1926 at the age of seventy-two, with him went the mysterious recipe of Pisco Punch.



*A group of the regulars.*



Pisco Punch was only one of many potables served at the Bank Exchange. Steam beer, a California innovation, was also served by Nicol, but only the punch was exclusive.





*Three of San Francisco's finest lift their cups in cheer to Nicol, center, in the fading days before Prohibition closed the Bank Exchange.*

Idwal Jones, author of *Ark of Empire*, the colorful history of the Montgomery Block, wrote that the recipe was "... as much lost as Tyrian purple and the art of tempering copper."

And Richard Dillon, writing in the *Eighth Brand Book*, states that "... the recipe eventually died out with the passing of Nicol, though there have been various Houses of Pisco since his time, with pseudo Pisco Punches. Pisco Punch, though its formula has vanished, will long live in memory as a great San Francisco gustatorial invention, like Crab Louie or Hangtown Fry."

Clearly, belief in the loss of the recipe has been an article of faith that no one should attempt to disturb without convincing evidence to the contrary. But having found that evidence, I have no trepidation about revealing it, defending it, and drinking it when the occasion arises. Pisco Punch lives!

In 1964, I was asked by the late A. Crawford Greene, for decades senior partner in the McCutcheon law firm in San Francisco, to assist him in drawing up and publishing a small volume of memoirs for his family and close friends. I took on the project and began by reading the correspondence which filled dozens of his file drawers. The work was not entirely necessary, because Mr. Greene finally wound up writing the book, *East and West*, by himself—as I urged him to do at the outset.

However, had I not done the reading, the secret of Pisco Punch might still lie undiscovered in the Bancroft Library where his papers are now held. For in his personal file, I found the two letters which appear in facsimile on the following pages. At least two other letters are missing from the exchange, but the nature and likely content of Mr. Corbett's original inquiry and Mr. Greene's calculated response can be inferred from the letters that have survived.

CORBETT INVESTMENT CO.  
CORBETT BUILDING  
PORTLAND, OREGON

April 28, 1941

*Personal*

Mr. A. Crawford Greene,  
Balfour Building,  
San Francisco, Cal.

Dear Crawford:

Thanks for your letter of April 24 in  
re Pisco punch. What the devil does your man think I am  
going to do?

Does he think I want to start manufacturing  
Pisco punch as a commercial enterprise?

Tell him I have two bottles of Pisco brandy  
that I bought before Duncan Nichol died and I am tired of  
having them in the cellar and want to drink them up.

I can't drink them up unless I know the  
recipe and so I am trying to get the recipe and may even go  
to the extent of letting him try his own "poison" if he  
sends me the recipe and then comes to Portland.

Yours very truly,

Henry L. Corbett

HLC S

(C Gr Personal)

May 1, 1941.

Henry L. Corbett, Esq.,  
Corbett Building,  
Portland, Oregon.

Dear Harry:

I had my tongue in my cheek when I wrote you on April 24th but I thought you would understand the type of man I was talking to and the obvious jealousy he showed of his "prescription." Because of the fact that what he considers unscrupulous competition has arisen only in Portland, he was extremely suspicious that any inquiry of this character emanated from his Portland competitor. I could not shake him, and I thought you would rather write the kind of letter you have than not get the recipe. It is enclosed herewith.

The man I refer to is John Lannes. My partner Farnham Griffiths advises me that he would not use any ready-bottled Pisco Punch regardless who put it up, because any cocktail with fruit juice in it does not last well. He also tells me that he has had dinners cooked by Lannes himself at which the punch was served, and states that when the recipe is followed the result tastes exactly as it did in the days of the old Bank Exchange.

I hope after all this fuss you feel that the result merits the trouble.

Yours very sincerely,  
[A. Crawford Greene]

Enclosure.



## LANNES' PISCO PUNCH RECIPE

1. *Take a fresh pineapple. Cut it in squares about  $\frac{1}{2}$  by  $1\frac{1}{2}$  inches. Put these squares of fresh pineapple in a bowl of gum syrup to soak overnight. That serves the double purpose of flavoring the gum syrup with the pineapple and soaking the pineapple, both of which are used afterwards in the Pisco Punch.*
2. *In the morning mix in a big bowl the following:*
  - $\frac{1}{2}$  PINT (8 OZ.) OF THE GUM SYRUP,  
PINEAPPLE FLAVORED AS ABOVE
  - 1 PINT (16 OZ.) DISTILLED WATER
  - $\frac{3}{4}$  PINT (10 OZ.) LEMON JUICE
  - 1 BOTTLE (24 OZ.) PERUVIAN PISCO BRANDY

*Serve very cold but be careful not to keep the ice in too long because of dilution. Use 3 or 4 oz. punch glasses. Put one of the above squares of pineapple in each glass. Lemon juice or gum syrup may be added to taste.*

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How can we be sure that Lannes' recipe is the real article?

Well, first, there is the convincing internal evidence of the letters themselves and the integrity and experience of Greene and his partner Griffiths.

Second, almost everything that has been written on the composition of Pisco Punch supports the Lannes recipe. In fact, every ingredient in it, including distilled water, fresh pineapple, and fresh lemon juice is called for in one description or another, with the single exception of gum syrup. The only recipe claiming to be the original which I have seen that was completely off the mark is one published in the September, 1957, issue of *Gourmet* in an article by the late Lucius Beebe:

Jack Koeppler of the Buena Vista in San Francisco . . . who first launched Irish Coffee on the American market . . . prevailed upon a fellow San Franciscan, *Kenneth Prosser*, for what purports to be the recipe of the True Elixir. Mr. Prosser swears that the following recipe was recorded in his late father's own handwriting and may be taken as Revelation. It comprises 2 jiggers of Pisco, 2 jiggers of white grape juice, 1 teaspoonful of Pineapple juice, and 1 teaspoonful of Absinthe, Pernod, or Herbsaint.

The call for "Absinthe, Pernod, or Herbsaint" alone betrays it. Each of these has a strong licorice flavor which would have been easily detected and duly noted by any discriminating reporter. (Real absinthe, which I recently had the opportunity to sample, is the strongest, harshest drink I have ever consumed.) The absinthe myth, which circulated long before the Bank Exchange closed, grew from speculation as to what made the drink so lethal. In truth, it wasn't absinthe, or "hash-eesh" as others suggested, but simply the grain alcohol and traces of fusil oil found in Pisco brandy. The brandy, incidentally, is a rough, distinctively flavored drink all of its own with no more taste resemblance to cognac than kirschwasser or tequila.

Finally there is the question of John Lannes. Who was he and how could he have come into possession of Nicol's recipe? It is known that he marketed a bottled version after Prohibition ended, but this is no proof. Many counterfeit Pisco Punches and Pisco Punch mixes have been sold over the years.

In an attempt to learn a little more about the man, CHS Librarian Peter Evans kindly went through the Society's dusty city directories at my request and traced Lannes (who in early issues is listed alternately as John and Jean) from 1890 to 1951. In the 1890's he worked as a laundryman, but from the turn of the century until 1920 his occupation was listed as "liquors" and "bartndr," when he was listed at all.

Then, in the 1920 directory, which would have been compiled during the previous year, he is listed as "mgr Bank Ex"!

One can only speculate on how the recipe came into his hands, but two ways seem plausible. One is that Nicol, with the specter of Prohibition around the corner, entrusted the formula to Lannes in the twilight days of the Bank Exchange, and the other is that Lannes indulged in what we today call industrial spying. While it's unlikely that Nicol had the recipe written down anywhere, it is not unlikely that Lannes had access to the mixing room where Nicol put the punch together and that he was in charge of receiving supplies. Support for the latter possibility was carried in a story published in the June 28, 1952, issue of the *San Francisco News*. Another ex-employee of Nicol's, Alfredo Micheli, known to all as Mike, told of how he came by the recipe for Pisco Punch he was then serving at the newly-opened Paoli's on Montgomery Street:

"I used to snoop around down [in the] cellar where he mixed the ingredients for Pisco Punch," the plump, elderly Mike confessed today. "Nicol always worked behind a locked grating, but I sort of watched the bottles he took in there. And finally I worked out my own Pisco Punch—just call it Pisco Mike's Punch. . . ."

"Ross D. Pelton, attorney of 315 Montgomery-st, who probated the will of Duncan Nicol, as well as that of his widow, pronounced Pisco Mike's Punch as near the original Pisco Punch as any he ever has tasted."



*Nicol stands before the Class A double iron doors which kept the Bank Exchange secure for 66 years. It took the Volstead Act to close them forever.*



Mabel Greene, the reporter, described Mike's product as "fragrant, extremely seductive, and with a delicate fruity taste."

One clear discrepancy between Lannes' instructions and accounts of how the drink was served by Nicol can be easily explained. Nicol always made the punch one cup at a time, first putting in the pineapple and liquor, and then filling the cup with a liquid from an unmarked bottle. Lannes' recipe called for making it in a punchbowl. The reason Nicol made them one at a time was to maintain complete control of freshness and to minimize waste. Lannes would naturally have made it all at once, since it would be consumed in a matter of a couple of hours at any party where it was served.

Now to the matter of gum syrup. One might reasonably ask why it has taken so long to publish this story. To begin with, it took me several years to find the Pisco brandy, and it wasn't easy. The importers couldn't steer me to any retail outlets in San Francisco, and so I asked my friend Jerry Hanson, a purveyor of spirits, to get his distributor to ship some up from Peru where it is made. Months passed without delivery of the precious brandy, and we finally learned that the vessel carrying the cargo had gone down in heavy seas. Then, by chance, I came across a couple of bottles in a Berkeley liquor store. The only unknown remaining was the gum syrup. I phoned a number of liquor stores and bar supply houses, but no one knew quite what it was or where I might find it. By sheer chance again, I found a dusty bottle labeled "Gum Syrup" in another Berkeley store. It was nothing but a very heavy sugar solution, but I had no way of knowing it was not the ingredient called for in the Lannes recipe.

With what I thought were all the ingredients in hand, my wife and I invited several couples to dinner, and I made the punch, scrupulously adhering to the recipe. It was good, but it wasn't quite as smooth as I had expected. Even adding a little extra distilled water didn't help much.

Several years had passed when in 1972, John Chase of Transamerica Corporation called to ask if I would consult on some of the historic aspects of the restaurant and bar they were planning for the Transamerica Pyramid, which as all students of local history know is located at the "Southeast corner of Montgomery and Washington Streets, San Francisco, America!" (It should be mentioned in fairness to Transamerica, that the company was not responsible for destruction of the Montgomery Block. The evil deed was done by a previous owner.) Through a mutual acquaintance, John knew I had the recipe, and as our discussions progressed, I agreed to prepare this article in behalf of the society and present to the public the long-lost secret.

But what does all of this have to do with gum syrup? To make sure that the punch was worth all the trouble, John Chase hired the Hayward Catering Company to mix up a batch for a private tasting. Albert Bosanach, manager of the catering company, found an old recipe for

real gum syrup, which contains gum arabic, and the last piece fell into place. We gathered in my office in the Columbus Tower—just a block from Washington and Montgomery—and partook of what was probably the first serving of authentic Pisco Punch since John Lannes last poured it before he died in the early 1950's.

It was smooth and good. It was fragrant, seductive and delicate. My wife has asked me not to drink it again. The difference between what I tasted when I first made it and what was served that day was not a difference in flavor, but in texture and bite. I am convinced that the mystery ingredient in Pisco Punch is nothing more than gum arabic, and that it works in some way to take all the rough edges off the Peruvian brandy and perhaps alter the rate of absorption or metabolism of the alcohol in it. This is the recipe for gum syrup:

Crush one pound of gum arabic (if not already in crystal form), and soak for 24 hours in a pint of distilled water. (Gum arabic can be purchased at some confectionery supply houses and health food stores.) Add the gum arabic solution to a syrup made of four pounds of sugar and one quart of water boiled to 220°F. As the mixture continues to boil, skim off impurities and then let it cool to room temperature. Filter through cheese cloth and store in bottles.

So let's get to work on the secrets of Tyrian purple and the art of tempering copper. While Lannes' recipe for Pisco Punch could be off in some small degree, I'm convinced that it is as close to Nicol's nectar as mortals will ever know.



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# Research Uses of County Court Records, 1850-1879

## And Incidental Intimate Glimpses of California Life and Society

### Part I

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W. N. DAVIS, Jr

*Chief of Archives,  
California State Archives, Sacramento*

COUNTY COURT records are a rich and virtually untapped resource for historical research. Forming a well-ordered archival entity, court record series are valuable sources for social, economic, biographical, genealogical, and (perhaps a less familiar area) legal history. Although this study is based almost entirely on California materials, hopefully it suggests the extraordinary documentary dimensions—and, hence, the considerable research value—of local court records throughout the country.<sup>1</sup>

The Constitution of 1849 determined California's court structure in the period 1850-1879, the first decades of California's statehood.<sup>2</sup> County courts of the time were five in number: the justice court, county court, court of sessions, probate court, and district court.<sup>3</sup> They were the courts that functioned in every California county, assembling the evidence from which were winnowed the facts essential to case judgments.

Of course, the records of these local courts have varying value to the historian. The important but more selective files of the appellate supreme court (and of the later courts of appeal), which emphasize questions of law, cannot compare to trial court records either in range of subject matter or in wealth of factual content.

Physically, records of the county courts consist of books and unbound files. Clerks of the court kept several series of books in which the chronology and principal facts of court proceedings were recorded.<sup>4</sup> The record books of highest research value are the minute books, which recount the day-to-day business of the court, and the judgment books, which record the decrees, orders, and sentences that conclude the actions. In addition, clerks kept dockets, registers of actions, jury books, fee books, and the like. Accurate indexes of the names of the plaintiffs and defendants were maintained for the record books. Unbound case



files, on the other hand, were made up of loose documents that accumulated in the course of case adjudication. Often referred to as the judgment rolls, the case files contain such items as complaints, summonses, pleadings, depositions, affidavits, testimony, exhibits, writs, judgments, and executions. The indexes of the record books also serve as indexes for the case files. Generally speaking, the case files are much the most important court records for research purposes, and of the records in the case files, the most useful are the complaints, depositions, affidavits, and in-court testimony, which more often than not contain unique and significant factual material. The testimony, depositions, and affidavits are a notable portion of the original corpus of oral history, with the special importance of being oral history taken under oath.

For all their richness, court records have certain limitations as a research source, both as to content and convenience of use. Such materials, of course, are but one of the several primary sources that often exist for study of a given subject, and they alone rarely provide all the information on a topic one might want. As with all sources, they must be read and evaluated closely and critically. Further, effective use of court records usually requires a special kind of patient, thorough, and imaginative digging. The researcher may go through a quantity of material that could scarcely be more irrelevant before coming upon facts that bear on his subject. Owing to the scattered locations and considerable bulk of the California county court records, the evidence upon which this paper is based constitutes but a very small part of the total records available. It nevertheless appears that the field is a good one for quantitative survey and analysis of data, and, fortunately, much can also be learned from more casual case-sampling.

Perhaps the most obvious use of county court records is in the area of social and cultural history.<sup>5</sup> Collectively, the court cases document an endlessly kaleidoscopic and very human cross-section of the life of the times. Informative details, a revealing spectrum of local color, and insights into personalities, issues, and events abound. The records show human hopes, strivings, speculations, and frolics: the successes and the failures. Researchers can observe the misdemeanors and the crimes, the full range of wrongs to person and property, and the offenses against the peace and dignity of the state. Pioneers become the human beings that they actually were—good, bad, and in-between. The circumstances—fortunate and unfortunate, in high places and low—under which they actually lived become real.

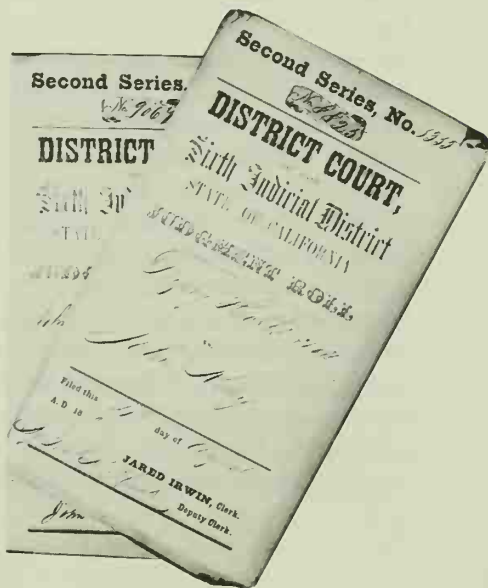
A charge such as "Swindling or Cheating" appears early in the Sacramento cases. As Luke Agur, a miner, testified in the Sacramento County court of sessions in January, 1851, "My landlord told me yesterday that if I am going to get gold dust weighed, to be careful and not get cheated as there was a great deal of cheating."<sup>6</sup> The forewarned Agur caught the dealer moving the hook at the end of the scale beam in an attempt to obtain \$32 in gold dust for only \$24. That same month another trader was charged with swindling for using scales which registered \$22 of gold dust at \$14.<sup>7</sup> That such transactions were not entirely one-sided is demonstrated by the cases involving counterfeit gold dust and counterfeit nuggets. In July, 1851, for example, Samuel Kurtz paid \$5,000 in money for what was represented to be 312 ounces of gold dust, "whereas in truth and in fact the said metallic substance was not mineral gold."<sup>8</sup>

The theft of gold dust, as might be expected, was, for a time, a very common cause of criminal action. Mrs. Mary King testified in the Sacramento justice court in July, 1850, that persons unknown had stolen from her room two leather bags containing gold dust and California coin worth about \$3,500.<sup>9</sup> A. B. Caldwell made an affidavit in Sacramento in August, 1850, that on the previous afternoon, "while asleep near a house" on the Johnson Rancho road, he had been relieved of gold dust worth \$1,500 to \$1,600, "amongst which is fine Yuba gold."<sup>10</sup> William Wilkie charged in Sacramento in September, 1850, that Jacob Lose had stolen from the affiant and his associates some \$2,400 "in Coarse dust principally Specimens of five dollars and upward each and a bag containing black sand with a portion of Gold in it."<sup>11</sup>

In the year 1853, in the little frontier village of Union Town in northwestern California's Humboldt County, both parties to a marriage sued each other in the district court for a divorce. The facts show that the wife had left her husband and taken up lodging in a house in which the only other resident was an unmarried gentleman boarder. One may look at the testimony of the couple's neighbors for frank pronouncements concerning local scruples and standards of conduct. An acquaintance of the boardinghouse occupants testified that he thought "it was improper that they should live in the same house together."<sup>12</sup> Another thought "they were greater friends than they ought to be under the circumstances" and that "their conduct would cause the people to talk." Testimony brought out the fact that the doors of the boardinghouse were merely cloth drop doors; entered as an exhibit was a diagram of the floor plan and the location of the furniture. Another witness testified that as he was passing the house one night, "I heard some low talking. . . . I stood there something like ten minutes. . . . I was standing as close to the house as I could get to peep in through a crack by the door. . . . I saw a light under the door and stooped to look." And so a procession of pioneering people, telling of their observations and surmises, reciting rumors and opinions and facts, thus provide for the record something of the flavor, the interests, and the problems of life in Union Town.

Actions for divorce usually required a showing of fault which means, for the

*In county courts, unbound case files, often referred to as judgment rolls, were assembled from the loose documents accumulated in the course of case adjudication. They contain such items as complaints, depositions, testimony, exhibits, judgments, and executions and are usually the most important records for research purposes.*



researcher, a picture of human frailties torn with discord and disenchantment.<sup>13</sup> "I got up early in the morning and looked through the keyhole," a witness declared in a Sonoma County divorce case in 1857.<sup>14</sup> The plaintiff-wife, in a Lassen County case in 1869, stated, "I had told Mr. E. I was going off to visit one of the neighbors; instead of going, I returned to the house, and saw this transaction with Mary W. I stopped at the window several moments."<sup>15</sup> A witness in a Sonoma County case in 1858 stated, "I see a man destitute of clothing save his shirt come in & get into bed with def[endan]t. I shortly got up & went out to the well. I found laying on the out side of the door a pair of pantaloons & shoes."<sup>16</sup> In a Marin County case in 1860, a little girl testified about her mother's and father's conduct: "She said to him that she was going to spend the day with one of the neighbors but instead of going she put some boards overhead and watched him and saw him doing bad things to me."<sup>17</sup>

The defendant husband in a Sonoma County divorce case in 1856, in answering his wife's complaint, declared, among other things, "That to the best of his knowledge the Deft. has never loosen any of the teeth of Plff. and that he has never expressed regret that he had not knocked the teeth of her Plff. down the said Plffs. throat but on the contrary thereof he has at all times considered the teeth of her Plff. both useful & ornamental & as such he has at all times heretofore been anxious to have them kept & preserved in good condition & repair."<sup>18</sup>

Across the continent and two hundred years earlier, court records tell of equally improper goings-on. In 1661, in Springfield on the western frontier of Massachusetts Bay Colony, Joseph Leanord was fined by the local court for "sporting and laughing in Sermon tyme," and in 1690, John Crowfoote and John Buck were arrested for being "In Drink, if not Drunk and that at a very unseasonable time being .10. a clock at Night If not past. . . ."<sup>19</sup>

Demon rum took his toll in California, too. One night in June, 1850, Sam Brannan and three others, after making the rounds of Sacramento's wide-open saloons, mounted an attack on a squatter's hut on the levee, the time then being "a little before daylight."<sup>20</sup> Testimony in *People v. Brannan et al.*, in which the court of sessions tried the defendants on a charge of riot, shows that at about 1:00 A.M. Brannan and friends were seen marching through the streets of Sacramento beating a Chinese gong. Finding a wheelbarrow, they loaded up one of the party and rolled him into Lee's Exchange for drinks. Later on, while walking through the streets, they were observed "all in a heap." When the assault on the complainant's house was made, Brannan, who was a leading opponent of the squatter faction, was seen at the forefront, crowbar in hand, vigorously dismantling the structure's entry. The court fined Brannan \$200, the others \$25. The incident doubtless tells something about popular concepts of justice in Sacramento City.

Gold rush letters, diaries, and journals are well-known primary sources of great value for study of California's "Golden Age." Yet, the writers of such accounts, with a few exceptions, were reticent to the extreme concerning certain aspects of ordinary living and the rougher elements of the passing scene. Newspapers were more given to realism, but they, too, exercised an understandable restraint. Court records, however, reveal the people candidly and factually in their vernacular, colloquial, and earthy dress. This characteristic verisimilitude



and historicity constitute one of the primary values of court records for historical research. The record of *People v. Seymour alias Smith* in the Sacramento district court shows that on the night of December 22, 1852, Albert Putnam, a stage driver on the Auburn road, strolled into the parlor of the Palace, a house of prostitution on Sacramento's Second Street, with six or so other stage company employees.<sup>21</sup> Putnam took the only empty chair available, whereupon the proprietor, Fanny Seymour, who had been seated across the way near the piano, came up and told him that he was sitting in the "Wine Chair" and that he should pay for a bottle of wine. Putnam begged off. The rebuffed Fanny then said, "You God d—d thieving, counterfeiting Son of a b—h get out of that chair." Angered, Putnam arose, exclaiming, "damn you dry up," and then as he made his way to the door, Fanny slapped his face, kicked him, took something from her mouth and threw it in his face, and as he reached the porch on the street, she fired a pistol and shot him in the back. Though severely wounded, Putnam recovered. The spontaneous Fanny was indicted on a charge of assault with intent to commit murder and released on a \$3,000 bond; she fled Sacramento and was never brought to trial. Fanny's language is mostly familiar to today's ears, but was "counterfeiting" peculiarly a bit of Sacramento vocabulary? And the "Wine Chair." Cannot one imagine it the center of many another vivid scene?

Fanny Seymour was no stranger to the courts of Sacramento. Two years earlier she had been indicted for keeping a disorderly house where men and women "of evil name and fame and of dishonest conversation" came together, "there to be & remain, drinking, tippling, whoring & misbehaving themselves."<sup>22</sup> Sarah Hopkins, arrested at the same time on a similar complaint, advanced the good defense that the keeping of such a house was neither forbidden by statute nor indictable under the common law.<sup>23</sup> A complaint against the "Shingle" House was likewise dismissed, a witness having testified that he thought "the house tends to increase the value of property in its vicinity. Do not consider the house a nuisance, by any means."<sup>24</sup> Numerous thefts at such resorts preceded the Sacramento district attorney's campaign against them. Franklin D. Gilbert, a monte dealer visiting the "Shingle" House, had found that the one of the girls' nimble fingers had relieved him of a diamond breast pin worth \$600.<sup>25</sup> At Mary Jane Carswell's house, Sarah Church, with James Brown visiting in her room, had opened up a trunk to change some twenty dollar pieces—"we had some business together that caused us to make use of some money"—and later, she alleged, Brown had stolen over \$5,000 from her, "mostly in gold coin & some dust, also a lot of Jewelry."<sup>26</sup> The gold mine of prostitution in a largely womanless society is much in evidence in the court records. Neither wholly within nor outside the law, gold rush prostitutes were easy prey for the robber and the thief.

The rough, dog-eat-dog life aboard the steamers which traveled between San Francisco and Sacramento in the 1850's is described in the Sacramento case of *People v. Barnard*.<sup>27</sup> In the fall of 1850, the steamer *Senator* was proceeding up San Francisco Bay on the Sacramento run, and as the Chinese boy who acted as steward was carrying the dinner (beef and cabbage) to the cabin, a fireman attempted to help himself to some of the food. The boy managed to ward off the

*This ticket was  
evidence in John  
Child's suit against  
McPike and  
Strother wagon  
train company.  
Child lost his  
personal belongings  
when the party  
disbanded upon  
reaching Lassen's  
Meadows.*



THIS TICKET entitles the holder thereof to a passage  
Joseph, Missouri, to the CALIFORNIA GOLD DIAMOND & P  
Train of McPIKE & STROTHER, the dangers of the route

cepted. Should the passengers fail to get through by the neglect of the Proprietors, they hereby b  
Teams and Hacks to the purchasers of the tickets for performances on their part, with the exception ab  
tioned; and each passenger is required to do a proportionable part of camp duty. If the Proprietors sh  
to start to California, the money refunded.

#### RULES AND REGULATIONS

- 1st. The Captain and other officers to be elected by a majority of the passengers
- 2d. The Proprietors to have the control and management of teams, &c.
- 3d. Each passenger to furnish himself with a good gun and ammunition.
- 4th. By-Laws to be approved by a majority of passengers.

*Hack No 4  
Ticket No 19*

*McPike & Strother  
P. A. McPike*

raid but received several blows in the scuffle. When the engineer went to the gangway to investigate the trouble and asked a second fireman about the assault on the boy, he received for a reply: "Damn him, I'll heave him overboard." On going to the upper deck after dinner, Capt. Joseph C. Bernard saw the Chinese boy "rush into the galley and immediately after him a stick of wood followed striking against a kettle & knocking it overboard." The captain, according to his testimony, jumped from the upper deck and, approaching the two firemen, Taylor and Summer, upbraided them for their conduct. When Taylor persisted in defiance, the captain grabbed a stick of wood and threw at him, but did not hit him, whereupon Summer cried out, "God damn your soul, you would not serve me that way." Summer, for his part, subsequently testified that he had merely asked the captain "what business" he had to throw the stick at Taylor, whereupon "the captain struck me in the stomach with an axe—with the edge of it—The axe was dull but the blow hurt and I am now sore from its effects." True to his word, the captain discharged the firemen at Benicia, but upon reaching Sacramento he found that Summer had brought a complaint in the local justice court charging him with assault and battery. Justice of the Peace Chas. C. Sackett, a pragmatic soul well-seasoned to the brawling turbulence of the times, heard not only the adversaries but also several witnesses, the testimony including Captain Barnard's statement that "it was necessary to quell the disturbance on board and none but violent means would answer." Sackett concluded that there was "no sufficient reason" to believe the defendant guilty of the offense named and so discharged him. However unique these individual cases, even the least of them contains material bearing upon one aspect or another of social and cultural history.

For the economic historian court records have a truly major relevance. Because litigation springing from economic activities so often occupied the attention of the courts, the case files throw a strong and penetrating light on economic ventures and the circumstances under which such undertakings were conducted. Whatever the elements of significance in the local economy, they were certain to be reflected in the local court records. For example, the newly-arrived gold rush immigrants, pausing and taking their bearings in Sacramento, gave rise to a class of cases in the Sacramento courts that can be described as end-of-the-journey litigation. "Sept the 10th 1849," reads the plaintiff's affidavit in his own hand, "This day personally appeared D S Shacklett and complains . . . that him-

self and 4 others sat out from St. Joseph Mosuru in joint Partnership . . . for the Gold mines."<sup>28</sup> Now that they had reached California, Shacklett wanted a just division of the company's property, which he alleged the other partners wrongfully refused to make. The contested property consisted of a wagon, a cart, twelve oxen, three cows, flour, sugar, coffee, soap, candles, five picks, three shovels, two spades, and a keg of powder. The defendant partner answered that a final settlement had already been made "at the Carson river on or about the 15th day of August last past." The court settled the matter by decreeing that Shacklett should have one-fifth of the property upon his payment of \$80 to the defendant.

The unfortunate experiences of a wagon train carrying 123 paying passengers from St. Joseph, Missouri, to the "California Gold Diggins" in 1850 were recounted before the Sacramento justice of the peace in the case of *John W. Childs v. McPike & Strother*.<sup>29</sup> With teams worn down and provisions low, the wagon train had disintegrated on reaching Lassen's Meadows on the Humbolt. Passenger Childs—whose original ticket "No. 19" for a seat in "Hack No. 4" for which he paid \$200 may be found in the case file—had had to pay his own expenses the remaining distance to Hangtown and was now suing the train's proprietors for the loss of a gun, a buffalo robe, three blankets, and a trunk which contained his spare clothing, a box of medicines, five pounds of mercury, and a flute. Here is evidenced the well-outfitted, provident Argonaut who possessed both the desire and the means to undertake the journey in style. Childs won a judgment in the justice court, only to have the county court reverse the decision on appeal.

The case of *Eben B. Hooper, late Master of the Barque Rising Sun v. The Barque Rising Sun and the Members of the Rising Sun Mining and Trading Association*, which was heard "In Admiralty" in the Sacramento court of first instance (the predecessor of the county and district courts) in October, 1849, shows the breakup of a company that had traveled to California by sea.<sup>30</sup> Among the interesting documents in the case file are a copy of the constitution of the Rising Sun Mining and Trading Association, printed in New York in 1849; the contract, certified in New York on March 26, 1849, by which Isaac Smith received title to the *Rising Sun* as security for the \$9,993 he had advanced to finance the association's California venture; and Captain Hooper's contract to navigate the *Rising Sun* from New York to San Francisco for a consideration of a single share of the association's common stock, worth \$300, plus \$100. In the lawsuit the court dissolved the association, appointed receivers to sell its extensive property, and laid down a four-point plan of priorities for distributing to the fifty-nine members the moneys received and goods remaining which amounted in all to more than \$12,000 in value. A major item of the association's property was 12,982 feet of lumber which, at \$387 per thousand, sold for \$5,023.

The receiver appointed in Sacramento in December, 1849, to settle the affairs of "the late firm" known as the New York and California Mining and Trading Association sold the association's property for \$21,838, which, after payment of the debts, permitted a return of \$282 to each of the sixty-nine members against the \$500 originally invested by each. According to the papers in *Boune et al. v. Mesick et al.* the association's members, whose names are listed in the docu-





file contains Williams' original bill of lading, signed in New Haven on May 26, 1849, which makes clear the basis of his concern; included in the substantial shipment were ten barrels of pork, ten kegs of lard, one tierce of hams, sixteen boxes and two crates of tin ware and stoves, a quantity of pipe, 40,000 feet of lumber, ten outside doors, 185 windows, ten boxes of tobacco, ten quarter pipes of brandy, four pipes of Holland gin, four hogsheads of St. Croix rum, ten quarter casks of old Madera wine, ten barrels of whiskey, thirty barrels of American gin, twenty-five barrels of American brandy, ten barrels of N.E. rum, four barrels of proof spirits, an iron safe, a force pump, and five packages of India rubber hose. Williams contended that the delayed arrival, at a time of "great depreciation in every description of goods," had caused him to suffer heavy damages. In the Sacramento hearing, however, it was held that no proof had been submitted showing that there had in fact been an unnecessary delay en-route to California, and the charge was dismissed.

The maritime law of the admiralty court was again invoked in Sacramento by the pioneer physicians J. F. Morse and J. D. B. Stillman in February, 1850.<sup>35</sup> The doctors claimed in a suit against the steamer *McKim* that \$313 on the hospital bill of William Butler, recently a seaman aboard the ship, was still outstanding. It was settled maritime policy, which was fully applicable to all ship-owners navigating the Sacramento River, the plaintiffs argued, that a seaman is entitled to be cured at the expense of the vessel, of all sickness and injuries sustained in serving thereon. True, Butler had been discharged from the *McKim*, "but not until he was utterly disabled by sickness," said the plaintiffs, "and in the low mutterings of delirium was sent in a cart from her side." The court awarded the doctors \$250 damages.

The case of *Sonnichson v. Brown et al.*, heard in the district court of Humboldt County in 1854, contains information on speculation in town and road building in that area in 1850.<sup>36</sup> The record shows that the twenty-four party defendants, one of whom was Capt. Joseph L. Folsom, had in March, 1850, formed a partnership in San Francisco under the name of the Laura Virginia Association for the purpose of making a location "somewhere upon the coast" and establishing a town "to get the trade of the Trinity mines." The expedition sailed from San Francisco on the ship *Laura Virginia* on March 20 and arrived at Humboldt Bay on April 10. The party selected a site for a town, which it named Humboldt, and then dispatched a detachment to select a route for a road to Big Bar on the Trinity River. Sonnichson was suing for \$4,167 which he claimed was owed for services rendered in the construction of the road. The certified claims in the case file give the rates of pay for a guide, a surveyor, and road workers, the costs of food and supplies, and the charges for the use of horses and mules.

The *Dye v. Bayley* cases in the Sacramento court of first instance and the El Dorado County district court in 1850 and 1852, respectively, contain material on the laying-out of the gold-discovery town of Coloma in April, 1849, and the building and occupancy of The Winters Hotel. They also contain a copy of the contract of the sale of a one-third interest in the Sutter sawmill in June, 1849, and an account of Dye's suit against Bayley in the Coloma alcalde's court in August, 1849, part of which reads:

Winters left the courthouse and got fire arms. . . . The Alcalde expostulated with Winters but Winters swore that he would shoot Dye. The Alcalde snatched the pistol out of Winters hand and threw it in the Mill race. Winters went into the Mill race and got the pistol and tried to fire it off.<sup>37</sup>

Court cases also contain a great deal of information on the construction of buildings. For example, *Petit v. Dewey & Smith*, a Sacramento case in 1850, holds the original contract, dated October 23, 1849, for the construction of the Sutter Hotel on Sacramento's Front Street.<sup>38</sup> Moreover, since the proprietors failed to pay the builders, the file also has within the record of the sheriff's sale in January, 1850, itemizing the furnishings of each of the twenty-four rooms of the second and third stories of this gold rush California hotel. Another Sacramento case contains the original contract and detailed specifications, dated October 10, 1853, for the construction of the Sacramento Water Works building, a sturdy brick structure 127 feet long, 50 feet wide, and 36½ feet high.<sup>39</sup> The contract bears the signature of Alderman Peter H. Burnett, then chairman of the city committee on contracts and expenditures.

Early California's principal livelihoods—mining, ranching, and farming—were subject to a large amount litigation. The case of *Wilson & Wilson v. Lassen & Gerke*, which began in the Butte County district court in 1852 and was transferred the next year to the San Francisco district court, contains a copy of the November 26, 1849, agreement between Peter Lassen, John Wilson, and Joel Palmer for the division of Lassen's ranch in the upper Sacramento Valley, together with a considerable amount of testimony on farming operations at that location in 1849 and 1850.<sup>40</sup> Interesting information on William H. Nobles' visit at Lassen's ranch in the fall of 1851 and on the party that went out in February, 1852 to examine the new route over the mountains, soon known as Nobles' Road, went into the records. Also in the file is a detailed statement of Lassen's financial dealings with Starr, Bensley & Co. of Sacramento, including Lassen's ill-fated purchase in December, 1849, of the steamer *Washington* for \$8,000.

Although the Wilson-Lassen case was heard in the San Francisco district court, whose records were destroyed in the Great Fire of 1906, the record of the trial is nevertheless available because a transcript of the lower court proceedings was sent to the state supreme court on the appeal of the case. The records of thousands of early San Francisco court actions similarly survived and are now to be found in the supreme court files in the California State Archives in Sacramento.

The Sacramento case of *Muldrow v. Norris* in 1851, concerning the lease of a portion of Rancho del Paso, contains John Bidwell's authoritative deposition that "Common Spanish Cows if properly attended to will give six quarts [of milk] per day for six months in the year, and, for the three following months, will average three Quarts."<sup>41</sup> Only an old Californian would know.

For business history, cases yield an almost inexhaustible amount of material, much of which exists nowhere else. The case of *Young v. Starkey et al.* in the superior court of the city of San Francisco in 1851 throws light on the San Francisco-based firm of Starkey, Janion, & Co. and its ambitious but unsuccessful ventures in the California market in 1848 and 1849.<sup>42</sup> With Captain David Dring engaged as a partner in supervision of operations in the interior, the com-



pany maintained general stores in San Francisco, Benicia, Stockton, and at Sutter's Fort. John Jackson Starkey was a resident of San Francisco, Robert Janion of the Sandwich Islands, and James Starkey of Liverpool, England. Among the documents in the case file is a copy of the contract signed by the company's agent and Captain Dring in San Francisco in November, 1848, "for continuing the retail store at Sutter's fort on the River Sacramento," the company to supply the store with trade goods, Dring to pay half the costs. The latter, "for his trouble and travelling expenses in conducting the same," was entitled to half the profits plus one per cent of the net amount of goods sold. The total operation, however, proved a dismal failure (at Stockton "the Clerk frequently lent money belonging to the store") and the losses exceeded \$60,000 by the time the partnership was terminated in January, 1851. Another San Francisco case of the time rounds out our realization of the cosmopolitan character of the Starkey-Janion-Dring partnership and, in effect, of the San Francisco society of which they were a part.<sup>43</sup> As owner and master of the ship *Janet* in 1846, then lying in the Port of Auckland in the British colony of New Zealand, Captain Dring had been under contract with two Aucklanders to carry 200,000 feet of lumber to Hobart Town in Van Diemen's Land, or if no desirable market could be found there, to Adelaide in South Australia. California gold had called all three of the New Zealand contracting parties to the new operational field centered on San Francisco Bay.

From *Lurvey v. Wells, Fargo, et al.*, heard in the Sacramento County district court in 1853, can be ascertained the Wells, Fargo & Co. plan of operations in interior California at that time.<sup>44</sup> The case involved the loss of a \$715 check which the company had agreed to carry to Sacramento from Nevada City. Isaac M. Hubbard, agent for Wells Fargo at Sacramento and "all other places above or north of it," testified that he

had full authority to appoint & did appoint the up country agents and defined their duties by my authority. I appointed Mulford agent at Nevada. . . . His agency was to attend to the Express business of Def[endan]ts for which he was to be paid so much a month. Defts never contemplated doing a Banking business in the country at all, ie, above Sac'o. The arrangement with Mulford was to allow him so much a month for attending to the Express business. He purchased gold dust on his own account & sent it down to us to sell on commission. He did all the business at Nevada on his own account with the exception of receiving & transmitting packages. He received a commission for all drafts drawn by our San Francisco house on New York which he sold at Nevada. . . . He hired the office & paid the rent for it in his own name.

The jury, however, held the company liable and found for the plaintiff.

Concerning road building, transportation, and communication services, Case No. 416 of the Sacramento County probate court contains a substantial collection of documents relating to the establishment and operation of the San Antonio and San Diego Mail Line in 1857 and 1858.<sup>45</sup> The case concerns settlement of the estate of the great stage coach entrepreneur, James E. Birch, who was lost at sea in September, 1857. In the file are scores of invoices and claims totaling thousands of dollars owed for goods, equipment, and services furnished the San Antonio-San Diego company. Included, for example, is the invoice of the steamer *Colorado* for freight on ten tons of barley from the mouth of the Colorado River to Colorado City, \$650; of Nelson & Doble, Blacksmiths and Horse Shoers, San

The Sacramento County probate case of 1858 settling the estate of stage-coach entrepreneur James Birch contains substantial information on the San Antonio and San Diego Mail Line, some goods for which were purchased at C. Crocker's store (right). Also in the file is the claim of the keeper of the Colorado Ferry (portion below), which itemizes the number of men, animals, cargoes, and wagons carried over at each crossing.

OFFICE IN NEW YORK, 75 WARREN STREET  
 Sacramento, Sept 14<sup>th</sup> 1858  
 M. Estab. of J. & C. Birch  
 Bought of **C. CROCKER**  
 Importer, Wholesale and Retail Dealer in  
**STAPLE AND FANCY DRY-GOODS**  
 CARPETS AND BOY'S CLOTHING.  
 No. 248 J Street, between 8th and 9th  
 TERMS CASH

Aug 11 <sup>th</sup>	42 <sup>yd</sup> Carpet	10/	53 10
	Making 10 Pairs Sam. Shoe	1/2	5 50
	27 <sup>yd</sup> Carpet	25	6 75
	Putting Sam. Shoe		2 50
	26 <sup>yd</sup> Carpet		26 -
	Putting		3 -
			\$102 75

Paid Cash

Crocker  
 J. C.

1	"	Boat	3 men	1 animal	2
4	"	"	1 "	2 "	1 horse
12	"	"	4 "	6 "	1 horse
13	"	"	5 "	9 "	1 horse
					9 = 11
					\$861 = 23

Colorado Ferry  
 February 13<sup>th</sup> 1858

Francisco, for 200 lbs. of mule shoes, \$36, and for twenty-five lbs. of horse nails, \$10; of the San Diego *Herald* for advertising the "New Passenger Route" twenty-one times, \$88. Included is the claim of L. J. Y. Jaeger, keeper of the Colorado Ferry, listing the thirty-eight crossings he had provided the line between August 17, 1857 and February 13, 1858, with an itemization of the number of men, animals, cargoes, and wagons carried over at each crossing.

The case of *Sacramento Valley Railroad v. Moffat et al.*, heard in the Sacramento district court in 1855, illustrates the problems that arose upon the construction of a railroad across improved farmland.<sup>46</sup> The dozens of records in the file document the landowners' determined efforts to establish maximum damages for the loss of their land, buildings, and fences. The file contains a map of the railroad's route east from Sacramento indicating the extent of the railroad's requirements, a copy of the report of the commissioners the court appointed to assess the landowners' damages, testimony by engineer Theodore D. Judah on the quantity and value of the land affected, and the original deed by which Captain Joseph L. Folsom conveyed a right-of-way across Rancho de los Americanos and the land that was to become the railroad's eastern terminus in the new town bearing Folsom's name.

Of the many lawsuits in which the Central Pacific Rail Road Company was a party, the records of which constitute a primary source for study of the company's early history, three or four may be mentioned. In *People v. The C.P.R.R. Co. et al.*, heard in the Placer County district court in 1867, in which at issue

was the valuation of the railroad's property within the county, a considerable amount of testimony was taken relative to the cost of construction of that section of the road.<sup>47</sup> For example,

Mark Hopkins sworn, says:—I know the . . . road bed and superstructure, and their value; I estimate them at about \$6,000 per mile [the county valuation was \$15,000 per mile]. . . . By superstructure I mean the iron, ties, chairs, and spikes; the road bed is the bed on which the track is laid, which has cost from \$200 to \$400 per mile; I am the Treasurer and a Director of the Company, and have been since its organization; this 40½ miles cost below \$75,000 per mile for graduation, masonry, etc. the superstructure cost between \$9,000 and \$10,000 per mile; disconnected from the rights, privileges, and franchises, I should not value the road at more than \$6,000 per mile.

In 1864 Reuben Butterfield, a farmer, sued the Central Pacific in the Placer County district court for \$2,000 damages and a permanent injunction against trespassing.<sup>48</sup> After describing the manner in which the railroad's construction crews had destroyed his crops, Butterfield told of the trouble he had with his fences. "I tried to keep the fences up to keep the stock off my land," he said,

but as often as I would repair the fences they would be immediately torn down again by the men at work in grading and working upon the railroad on my land; these men not only graded the railroad track through my inclosure, but did a great deal of hauling of various materials, rock, timber, etc., over my land in various places in the vicinity of the railroad line, in and about making the road, and in consequence it became a sort of public thoroughfare through my ranch along in the vicinity of the railroad track, and in this way the fences were kept torn down for considerable distances on each side of the track; some times the fences would be torn down within an hour after I had repaired them, generally I would not see it done, it would be done after I had left, but on one occasion it was done by Leland Stanford before my eyes; he was then President of the defendant, the Railroad Company; this was during the Winter of 1863-4, while the Legislature was in session; he had the Legislature up on the line of the railroad track on an excursion, and he was in a carriage at the head of the Legislative procession; I heard him order some men to tear the fences down on the line, which I had shortly before put up, which they did and the carriage train passed on through; I suppose I must have made repairs upon the rebuilt part of my fence so torn down as many as thirty or forty times, and perhaps more.

Butterfield was awarded damages of \$1,700 which were later reduced to \$1,000.

In 1867, again in the Placer County district court, D. C. Tarbell sued the Central Pacific for damages for being ejected from the cars.<sup>49</sup> Tarbell testified that he had boarded the regular passenger train at Auburn bound for Colfax, but had not had time to buy a ticket before the train left the station. After the train had been under way for a time, Denison, the conductor, appeared.

He said to me, "Your fare, sir."

I said, "I want to go to Colfax."

He said, "Two dollars."

I had greenbacks; I held them out to him; he turned them over with his fingers.

He said, "We don't take that kind of money."

I said I had nothing else to pay him.

He said he would have to stop the cars and let me off.

I told him I should not get off unless he put me off.

He touched the bell rope and the cars stopped; he took hold of my collar and kept hold until he got me to the back end of the car and shoved me off; Fogarty [the Roadmaster] was on the back end of the car; Denison gave me a jerk two or three times going to the door; I



held on to the seats to prevent being put off; after the cars started I jumped on to the lower step of the hind car, and asked Fogarty not to say anything; Fogarty called Denison, and he came back and took hold of my hand and put me off again; I did not fall down; it was a pretty rough place [a fill on the road about 10 feet high]; I grabbed for a rock and made a demonstration to throw it, but did not; I cannot judge how far I had been; I think four or five miles; I footed it back to Auburn.

Tarbell was awarded \$1,000 damages (which the supreme court reduced to \$100). In denying the defendant's motion for a new trial, the district court judge declared, "To stop a train of cars, and in the presence of the other passengers to forcibly and wrongfully eject a man therefrom, and leave him in a lonely spot by the wayside, is certainly to do him an injury which cannot be compensated by paying him what it will cost him to hire a carriage at the nearest town he can get to take him home."<sup>50</sup>

The Central Pacific was the defendant in a sensational trial in the Sacramento district court in 1867 in which seventeen-year-old Frank Kline sued "for damages sustained to him by the said railroad cars running over his right leg, and damaging said leg so that it had to be amputated."<sup>51</sup> The stakes of the contest were extremely high; on one side, adequate compensation for severe physical injury; on the other, the principle of discouraging personal injury suits lest the door be opened to constant harassment from that quarter. From the testimony of the case we get a graphic picture of the downward train from Colfax, with its passenger and baggage cars, slowing its speed as it entered the streets of Sacramento, and of the boys of Sacramento jumping on the cars for a ride down to Front Street. The latter practice had become so troublesome that the conductor, under strict orders to keep the boys off the cars, had stationed a man at the back of the train with a club for that purpose. Young Kline testified: "On the second day of May, 1866, I was living at the corner of 6th and F streets; the cars came along and I jumped on them; the conductor came out and said, 'where are you going,' and I had no more than said the words than he shoved me off the train—knocked me senseless; I was picked up with my leg cut off." After four years of litigation, Frank Kline was awarded damages of \$7,000. Much can be learned from these cases about the problems encountered in the establishment and running of a railroad, much about the rapid and sure growth of the railroad's unfavorable public image.

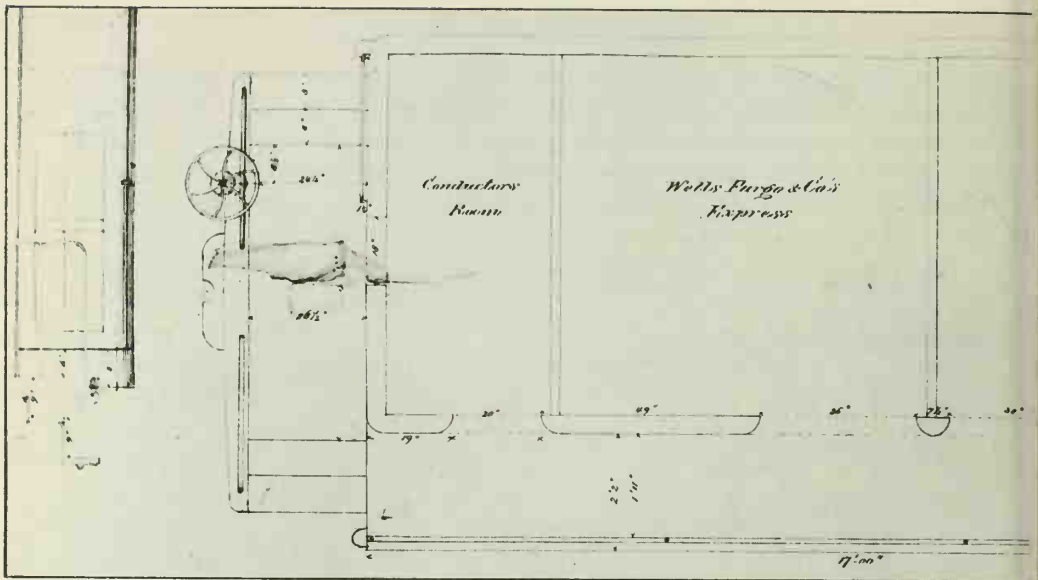
Local court files, as has been indicated, are full of information on the wages and prices prevailing at a particular place and time, mainly in the unpaid accounts sued on. We learn that in Sacramento, for instance, in the spring of 1849, one shovel cost \$5, ten pounds of sugar \$1.80, one sauce pan \$8, one bottle of ale \$2, one saw log, making 192 feet of lumber, \$115. In December, 1849, sold to the "log store house" in Auburn were 200 gallons of brandy which cost \$1,500, 2,044 lbs. of bread \$1,430, nine barrels of cornmeal \$790, nine barrels of flour (1,800 lbs.) \$1,440, 285 lbs. of sugar \$142; in January, 1850, freight costs for delivery of eight casks of pilot bread (206 cubic feet) from San Francisco to Sacramento ran \$206.<sup>52</sup> In Humboldt County pay rates in the early 1850's were the following: wages of a carpenter and joiner, \$125 per month and board; the rate of hire for five yoke of working oxen with chains, sleds, yokes, and rigging necessary to carry on the business of logging, \$250 per month; for running a

raft of logs, measuring 75,000 feet, from Dailey's slough down to Eureka, \$5 per thousand feet; the miller's earnings at a local flour mill grinding fifty bushels of wheat, or ten barrels of flour, per twelve-hour day, one-seventh of the grain ground.<sup>53</sup> The deflation that followed the high times of the fifties is seen in Sacramento County's Franklin Township justice cases in the mid-sixties: tomatoes, cabbage, and onions sold at 1¢ a pound, wages dropped to \$30 per month.<sup>54</sup>

The payroll of the Eagle Theater in Sacramento in the fall of 1849 as well as the hazardous character of gold rush theatrical undertakings are revealed in the several concurrent lawsuits brought against the theater's proprietors in November that year.<sup>55</sup> The actions resulted in an all-inclusive sheriff's sale to settle the many accounts due. Charles P. Price, who signed himself as "Manager Egal Theater," received \$1,650 for sixty-six days service at \$25 per day; V. Bona was paid \$733 for arranging and providing music; Henry Ray and wife received \$1,375 for performing three nights a week for five weeks at \$275 per week; J. Bowman Atwater claimed \$600 for six nights' acting but was awarded only half that amount; David Watson received \$448 for twenty-eight days' service as a stage carpenter at \$16 per day. Other accounts included lesser actors at \$60 per week including board, bartenders at \$12 per day, and several carpenters at \$16 per day. The theater, scenery, wardrobe, fixtures, and the lease for the ground on which the theater stood, with the privilege of entering through the saloon in front of the theater, went to S. Clinton Hastings and Samuel E. Bruce on a high bid of \$4,350. The saloon building in front of the theater with its entire stock of liquors, furniture, and fixtures and the lease for the ground on which the saloon stood were sold to William Hargrove for \$4,075. The sale receipts were entirely disbursed in liquidating the theater's debts.

The variety of money in circulation in California during the gold rush period is indicated by the probate file of the estate of Peter Slater, a Sacramento business man and proprietor of a ferry over the American River, who died in December, 1849.<sup>56</sup> The deceased's personal property included eleven U.S. and California eagles, fifty-five U.S. half-eagles, thirty U.S. one-fourth eagles, one U.S. dollar piece, thirty English sovereigns, three English half-sovereigns, nine French coins worth four dollars each, one Spanish coin worth four dollars, twenty Spanish coins worth \$16 each, fifty one-half ounces of silver coin, and 242 three-quarter ounces of gold dust.

As materials for studying less fortunate minority and ethnic groups, county court records exhibit in bold relief the social and economic discriminations commonplace at any given time. Clearly, the legal order long favored the interests of the ruling majority, and case files show how effectively the law could be employed for such purposes. No practice was more direct and decisive in that regard than the denial of procedural protection in the courts. The California *Statutes* of 1850 provided that in criminal trials "No black or mulatto person, or Indian, shall be permitted to give evidence in favor of, or against, any white person."<sup>57</sup> How this anti-witness, anti-testimony law worked in practice is shown by *People v. Potter*, a case brought before the Sacramento justice of the peace in December, 1850.<sup>58</sup> Sarah Carroll charged that William Potter had stolen \$700 in gold coin from her trunk. Potter was summoned to court for examination. The record shows the abruptness with which the action was settled: "Defendant dis-



*The Central Pacific was the defendant in a sensational trial in 1867. Young Frank Kline sued the railroad after the wheels of the car on which he was hitching (see diagram) ran over his leg, necessitating amputation.*

charged he proving himself a white man & none but colored testimony against him." Sarah Carroll was a Negro, Potter a white man; color alone gave him his defense. In *People v. Hall*, tried in the Nevada County district court in 1853, George W. Hall, on the testimony of Chinese witnesses, was found guilty of the murder of Ling Sing, "a Chinaman," and sentenced to be hanged.<sup>59</sup> The supreme court, however, reversed the judgment and remanded the case on the grounds that the key testimony of the Chinese against Hall was inadmissible.<sup>60</sup> In this way the ban of the testimony law was extended to include the Chinese.

The foreign miners' license tax proved an effective coercive instrument against miners lacking the majority status of United States citizenship.<sup>61</sup> In the town of Sonora in Tuolumne County in 1850 and 1851, for example, Justice of the Peace Richard C. Barry examined and committed some 1,500 individuals who found themselves described as "State Prisoners (defalcators of the Foreign Miners' Tax)."<sup>62</sup> "Juan Valencia and ten Peons were arrested at Brown Flat & committed by Judge Barry," reads one tabulation of the Sonora justice's work.<sup>63</sup> Similarly, "Five Frenchmen arrested at or near Sullivans diggings & brot before Barry," and "brought in seven Prussians and eight Sonora Indians before Judge Barry."

The experience of Juan Bautista in a local Sacramento court in 1850 illustrates the procedural injustices that might befall a member of a minority group. "Said Juan Bautista," according to a petition written on his behalf, "was arrested on a charge of Stealing a bag of onions valued at \$19.75 and was sentenced therefor to serve six months in the City Chain Gang, four of which he has already served, during which time he has conducted himself in a proper manner. At the time of trial the prisoner was, on account of poverty, unable to procure proper counsel, and labored under the further disadvantage of not knowing our language; and



moreover an impression was had, in error, by the City Recorder, that the prisoner was an old offender, and hence the severity of the Sentence."<sup>64</sup> Not one or two but three prejudicial elements had confronted and victimized the defendant. A long campaign lay ahead to square practice with principle in the observance of due process of law.

In the records are Chinese laundry cases and actions concerning the arrival of immigrants from China. There are also cases involving Indians, one of which was *People v. Pastorio*, heard in the Marin County district court in 1852.<sup>65</sup> Pastorio had killed a fellow Indian by the name of Tardeo. Sebastiano, chief of the Nicassio Indians, testified that Tardeo had been a bad man who quarreled a great deal: "He had a bad head." Armed with a sword on the fatal occasion, Tardeo had seemed bent on causing a disturbance. He had abused Pastorio. "Pastorio came to my house," the chief continued, "& said 'There is a dead man'. . . I told Pastorio to give me the sword but he said 'No, it was Tardeo's & now that I have killed him it is mine, I will go down to the Mission and let them kill me.'" The court sentenced Pastorio to be hanged, but upon a recommendation of mercy by the jury and the petition of a large number of state legislators, the governor granted a pardon.<sup>66</sup>

Also in the court records are fugitive slave<sup>67</sup> and school segregation cases. In the case of *People v. Gammon* which came before the Sacramento probate court in 1864,<sup>68</sup> Daniel Blue declared under oath that

there is a female colored child by the name of Adda in this county of about twelve years of age now living with one Gammon about Sixteen miles down the Sacramento River . . . which child said Gammon has purchased for a valuable consideration as a slave from one Haden who brought said child from the State of Missouri as a slave about Eighteen months ago and said Haden has held said child in this State as a slave ever since her arrival here until a few days ago when said Haden sold her to said Gammon who now holds her as a slave.

The petitioner asked that Adda be brought before the court and a suitable person appointed as her guardian. The court examined the facts, under a writ of habeas corpus, and appointed a guardian for Adda to put an end to this particular case of Negro slavery in California.<sup>69</sup>

While abrogations of due process abounded, steps were nevertheless frequently taken, even in the early years, to remedy procedural injustices. Counsel was appointed for indigent defendants; Spanish, French, and Chinese interpreters were hired.<sup>70</sup> The anti-testimony laws were eventually repealed, the limitation on Negroes in 1863, on Chinese and Indians in 1872.<sup>71</sup> County court records show the evolution of due process and the gradual movement of the courts in the direction that would eventually place them in a position as leading champions of individual and minority rights.

The uses of local court records for biography and genealogy are fairly well known. However, depositions (testimony under oath in writing not taken in open court) sometimes took the form of straight-forward autobiography. In fact, John A. Sutter's deposition in July, 1850, for the Sacramento case of *Burnett v. Mayhall* is the earliest known autobiographical statement of any length on Sutter's early life in California.<sup>72</sup> As a prominent and involved personage, Sutter was frequently asked to testify in the legal proceedings in which the early set-

tlers of the Sacramento country were involved. In 1857, for example, in the matter of the *Estate of William Daylor*, Sutter told how Daylor and Jack Smith had come up from San Francisco in 1840 and entered into his employ and how he had learned from Daylor that "he left his home in England when a very small boy, and had never returned to his native land. He had followed the sea most of his time, until he came to my employment."<sup>73</sup>

In Honolulu in 1860, eighty-year-old Alexander Adams made a deposition for the Sonoma district court about his early visits to the Pacific coast.<sup>74</sup> "My first acquaintance with the North West coast of America," he stated,

was in the month of May in the year 1811. I went there with Captain Winship, in the ship "Albatross," carrying a party of Sandwich Islanders with the intention of establishing a trading settlement in Oregon. We were driven off from Columbia River, by the Indians, and came down the coast to California. We landed on the Farralone Islands, off San Francisco. The Country was at that time under the Spanish Crown. The Spaniards had no settlement, to my knowledge, farther North than San Francisco, at that time. The Indians were very numerous to the Northward. . . . I visited Bodega several times, up to the year 1815. . . . Bodega was pretty strongly fortified by the Russians. They had several Block-houses, mounting cannon; and they had also a strong battery of 18 pounders, on a bluff, which commanded the entrance from seaward.

Usually, however, a deposition took the character of short questions and answers, as illustrated by Hiram Grimes' testimony in a Sacramento case in 1854 concerning his uncle, Eliab Grimes. Grimes was the original owner of Rancho del Paso, the great Mexican land-grant estate just to northeast of Sacramento City.<sup>75</sup>

Question. Had he [Eliab Grimes] any relative living except yourself? If yea state who they were.

Answer. Yes, he had other relations, his Sister, Nabby Bulkeley, his brother William's heirs, his brother William being dead, Nathan Grimes his brother also, My father Thaddeus Grimes was living also.

Question. In what Country were you born, in what year? Were your parents natives or citizens of that Country?

Answer. I was born in Littlebon Massachusetts, in 1813. My parents were natives of Massachusetts.

Question. In what year did you come to this Country?

Answer. In 1847.

Question. At what time did Eliab Grimes move to the territory of Mexico? Where was he born? Were his parents natives of the same country?

Answer. He came out on the Pacific Coast, I think in 1808, went to China and different points on the Coast. He remained in the Sandwich Islands from 1829 to 1842 when he came here to reside. He was born in Massachusetts, his parents were natives of the same State.

Question. When & where did he die and at what age?

Answer. He died in San Francisco November 7th 1848. About sixty-nine years of age.<sup>76</sup>

The chronology of the three marriages of Walter Pomeroy, who died in Sonoma County in 1859, and the names of his wives and children, a record that might be difficult to reconstruct from registers of vital statistics alone, are set forth in a district court case in 1860.<sup>77</sup> Walter Pomeroy had married Mary Acton in Ohio in 1821 and after her death in 1827 had married Elizabeth Crush in the same state a year later. Three children were born to the first marriage, five to the second. In 1855, in the county court of Cook County, Illinois, Pomeroy had

brought an action of divorce against his second wife, the decree for which was not issued until 1860. Meanwhile in 1843, in far-off Oregon Territory, Pomeroy had married Jane Taylor, a marriage which the territorial legislature in 1856 declared to be good and valid in law.<sup>78</sup> Pomeroy's death brought a lawsuit to determine the rights of the heirs which made necessary a diligent effort to untangle the complicated family history.

Aspects of the domestic relations of Victor and Theodocia Prudon of Rancho Laguna de San Antonio in Sonoma and Marin counties, who had married at Mission Santa Clara in 1839, are recorded in the 1858 Sonoma County action of *Prudon v. Prudon*.<sup>79</sup> The bad luck, or lack of skill, of poker-playing Joseph Hooker, who a decade later as Major General "Fighting Joe" Hooker commanded the Army of the Potomac, is attested by Hooker's promissory notes in the amount of \$484 and \$3,370 which he gave in Sonoma County in 1853 to cover losses suffered at cards and then avoided paying by pleading "no consideration" when sued in the local district court.<sup>80</sup> The tough old pioneer George Yount was more successful in holding Hooker to a promissory note, but he, too, had to go to law before he could recover the principal of \$1,400 and the \$842 interest that Hooker owed him.<sup>81</sup>

The wills, the inventories and appraisements of real and personal property, and the decrees of distribution and discharge that accumulate in the probate case files in the course of the administration of decedents' estates are familiar items to most biographers and genealogists. The case of Henry Gleason, a soldier, age fifty, who died at Fort Gaston in Humboldt County in 1879, provides an idea of what a probate file might offer.<sup>82</sup> The inventory of Gleason's estate, for instance, details the personal possessions of a career soldier at a frontier military

## HABEAS CORPUS.

State of California.

City and County of Sacramento.

In the County Court of the City and County of Sacramento

The People of the State of California.

To

*Gammon*

Greeting:

We Command You, that you have the body of *Adda*,  
*a Person of Color Child* by you imprisoned and detained, as it is  
 said, together with the time and cause of such imprisonment and detention, by whatsoever  
 name said *Adda* *Child* shall be called, or charged,  
 before the Hon. *Robert C. Clark* at *County Court Room*  
 on the *29* day of *Feb*, A.D. 186*1* at *10* o'clock *P.M.* of  
 that day, to do and receive what shall then and there be considered concerning the said  
*Adda* *Child*.  
 And have you then and there this writ.

By Order of *Hon. Robert C. Clark County Judge*

Witness, the Hon.

Judge of the *County* Court aforesaid, withthe Seal thereof hereto affixed, this *24*<sup>th</sup>day of *February*, A.D. 186*1*

ATTEST

*Samuel*

Clerk

By

Deputy Clerk.

*Slavery in California was the issue of this 1864 Habeas Corpus for the release of Adda, a young black girl who had been purchased in Missouri, taken to California, and subsequently sold to an individual named Gammon. After a petition, by one Daniel Blue, the Sacramento probate court examined the facts and appointed a guardian for Adda.*



post, and, perhaps, affords a glimpse of the ordered, efficient proprietor of one sewing awl, one buttonhook, one clothes brush, one whisk broom, one box shoe-blackening, and one looking glass. Of interest is the spare, but adequate supply of soldier's dress—woolen shirt, pants, blouse, and cap—and the complementary civilian dress of a suit of clothes, three white shirts, four collars, two black silk bows, and a Panama hat. Gleason is recorded to have been the affluent holder of a mortgage on the Fort Gaston Hotel and of a \$2,000 note secured by other Humboldt County property. Moreover, he owned two cows and was the employer of a Chinese cook. Gleason's will provided that the estate's proceeds should go to his daughter in Germany. The file contains the original document, attested by the Deputy United States Consul at Hamburg, Germany, by which Hedwig Louise Minna Glaser, legatee, on October 23, 1879, appointed the Imperial German Consul at San Francisco as her attorney to receive the bequest.

Mary Lee, slain in Sacramento in 1853 by the bowie knife of a fellow prostitute, left an estate, the probate record shows, consisting of white window curtains, two leather trunks, a few pieces of jewelry, \$1,520 on deposit with Page, Bacon & Co., and a resplendent wardrobe which included eleven chemises, twenty-one skirts, thirty-one dresses (linen, muslin, gingham, merino, wool, green brocade, pink brocade, purple brocade, lead colored satin, black silk, pink silk, plaid silk, yellow silk), a red jacket, and a white silk cape.<sup>83</sup> The record further shows that Mary Lee was actually Mary Butler, daughter of Michael and Hannora Butler of New Orleans and a native of County Clare, Ireland. She had changed her name to Lee at Mistress Ann Woods' house in New Orleans, prior to her departure for California.

(Continued in Winter, 1973 issue)

#### NOTES

1. The writer gratefully acknowledges the work of J. P. Jordan, J. E. Morgan, and D. L. Snyder in arranging and indexing the lower court files in the California State Archives. For an introductory statement on the research value of legal records, see Seymour V. Connor, "Legal Materials as Sources of History," in *American Archivist*, 23: 157-65 (April, 1960). The views of a number of American historians on the value of court records as source material are noted in Walter Rundell, Jr., *In Pursuit of History: Research and Training in the United States*, 142-46 (Norman, Oklahoma, 1970). "A recent surge of interest in legal records," Rundell writes, "indicates that historians have become aware that these sources may yield data for a wide variety of subjects." The English legal historian, T. F. T. Plucknett, wrote in 1947, "The present trend of medieval studies is happily in the direction of increased use by historians of legal materials as a source for constitutional, economic, and general history, and it is much to be hoped that they will extend their curiosity to the law itself." S. F. C. Milsom, "Theodore Frank Thomas Plucknett, 1897-1965," in *Proceedings of the British Academy*, 60: 516 (London, 1965), quoting from Plucknett's Ford Lectures in 1947 on the legislation of Edward I. For an example of extensive and effective use of court records (those of the English courts of quarter sessions) in the writing of social and cultural history, see Carl Bridenbaugh, *Vexed and Troubled Englishmen, 1590-1642* (New York, 1968). David H. Flaherty, in "An Introduction to Early American Legal History," in Flaherty, ed., *Essays in the History of Early American Law*, 32 (Chapel Hill, N. C., 1969), writes that "one can easily belabor the need to study and utilize court records. Yet the opportunities and sources are so great as to make this danger a negligible one, for the fact remains that few court records have ever been employed in analytical and general studies."

2. The organization, powers, and duties of the state's lower courts were first defined in the Constitution of 1849, Article VI, and in *Cal. Stats.* (1850), justice of the peace, 179-88; county court, 203-05, 217, 218; court of sessions, 210, 211; probate court, 217; district court, 93-6. The four other courts of justice during early statehood were the supreme court, the superior court of the city of San Francisco (1850-57), the recorder's court (1850-63), and the mayor's court (1851-63). Prior to statehood the most common court in California was that of the alcalde, with the court of the first, or ranking, alcalde in a district being called the court of the first magistrate. In the fall of 1849, under the direction of the civil governor, Brigadier General Bennett Riley, courts of first instance were established in the districts, one with civil jurisdiction, another with criminal jurisdiction. The pre-statehood courts remained operative until the courts established by the legislature began to function in May, 1850. The district courts were gradually increased in number from eight in 1850 to twenty-three in 1878, necessitating repeated changes in their geographic jurisdiction. With the adoption of the Constitution of 1879, the county and district courts disappeared, and a superior court was installed in each county in their place. The district courts and the courts of the justice of peace, though not "county courts," are included in this survey because they operated in every county. For an excellent account of the evolution of the California courts, see William Wirt Blume, "California Courts in Historical Perspective," in *Hastings Law Journal*, 22: 121-96 (November, 1970). A summary of the organization and powers of the county courts is found in Owen C. Coy, *Guide to the County Archives of California*, 16-19 (Sacramento, 1919).

3. The jurisdiction of each of the courts should be briefly noted. The justice of the peace had both civil and criminal jurisdiction. During most of the period, his civil jurisdiction was limited to actions in which the amount claimed did not exceed \$200; criminal jurisdiction included petty larceny, assault and battery, breaches of the peace, willful injury to property, and all misdemeanors punishable by a fine not exceeding \$500, or imprisonment not exceeding three months, or both. The county court initially (1850-63) had only civil jurisdiction; it exercised original jurisdiction in such matters as enforcement of mechanic's liens and abatement of nuisances, but had as its principal work the trial of appeals from the civil judgments of the justices of the peace and the recorder's courts. The county court also sat as a probate court for settling estates and appointing and supervising guardians. The court of sessions, which was composed of the county judge and two justices of the peace, had only criminal jurisdiction; it heard appeals from the justice's courts in cases of a criminal nature and had original jurisdiction to try indictments for all public offenses except murder, manslaughter, and arson. The court of sessions was abolished in 1863 and its criminal jurisdiction assigned to the county courts. The district court, the highest trial court in the county, was a state circuit court whose district usually included two or more counties, with the court sitting in the constituent counties in accordance with a statutory schedule. The district courts had original jurisdiction in law and equity in all civil cases where the amount in dispute exceeded \$200, and in all criminal cases not otherwise provided for. In cases involving the title or possession of real property, and in all issues of fact joined in the probate court, the district court's jurisdiction was unlimited. The district court's appellate jurisdiction extended to appeals from the judgments of the county courts, probate courts, and the courts of sessions.

4. The county clerk was ex officio clerk of all county courts, except the court of the justice of the peace, and was custodian of the county court records. Coy's *Guide to the County Archives of California* (Sacramento, 1919) provides a still useful inventory of the records of the 1850-79 period as they existed in the county courthouses in 1916-17. In the years since Coy's study, however, changes have occurred in the location and condition of the records of many counties. The county courthouse remains the primary place of deposit for county court records, but important collections have been transferred elsewhere; those for Sacramento County for the period 1850-79, for example, are now in the California State Archives (CSA), Sacramento.

5. Zechariah Chafee, Jr., in a discussion of court records, states, "I want to stress the great value of such records as a source for social history. . . . Law-suits about contracts and private wrongs and criminal prosecutions for small offenses often tell a great deal about the way men and women lived and the transactions they carried on." Zechariah Chafee, Jr., "Colonial Courts and the Common Law," in David H. Flaherty, ed., *Essays in the History of Early American Law*, 82 (Chapel Hill, N. C., 1969).

6. *People v. Harris*, Court of Sessions, Sacramento County, No. 78. Unless otherwise noted, all citations of legal actions herein refer to unbound case files in the collections of the California State Archives (CSA), Sacramento.

7. *State v. Jaretsky & Friedlander*, Court of Sessions, Sacramento County, No. 77.

8. *People v. Holliman*, Court of Sessions, Sacramento County, No. 169. In 1855 the counterfeiting of any kind or species of gold dust, gold bullion or bars, lumps, or pieces or nuggets of gold was made a felony punishable by imprisonment in the state prison for a term of from one to fourteen years. *Cal. Stats.* (1855), 178.

9. "Affidavit," July 5, 1850, *People v. ———*, Justice of the Peace, Sacramento City.

10. "Complaint of A. B. Caldwell," Aug. 9, 1850, "Affidavit," Aug. 11, 1850, *People v. John Doe et al.*, Justice of the Peace, Sacramento City.

11. "Affidavit," Sept. 28, 1850, *People v. Lose*, Justice of the Peace, Sacramento City.

12. *Underwood v. Underwood*, 8th District Court, Humboldt County, No. 3.

13. The California divorce law of 1851 provided that the district courts should have exclusive jurisdiction to grant divorces. Grounds for divorce were natural impotence, minority, adultery, extreme cruelty, habitual intemperance, desertion, willful neglect, consent obtained by force or fraud, and conviction for a felony. *Cal. Stats.* (1851), 186, 187.

14. *Rhoads v. Rhoads*, 7th District Court, Sonoma County, Old Ser., No. 712.

15. *Evans v. Evans*, 2nd District Court, Lassen County, in "Transcript on Appeal," Supreme Court, No. 2511 (966), 67. In citations of supreme court cases the first number is the court file number; the second, in parentheses, is the state archives file number.

16. *Wallace v. Wallace*, 7th District Court, Sonoma County, Old Ser., No. 846.

17. *Dixon v. Dixon*, 7th District Court, Marin County, Misc. Files, No. 85.

18. *Asbury v. Asbury*, 7th District Court, Sonoma County, Old Ser., No. 869.

19. Joseph H. Smith, ed., *Colonial Justice in Western Massachusetts (1639-1702): The Pynchon Court Record*, 252, 324 (Cambridge, Mass., 1961).

20. *People v. Brannan et al.*, Court of Sessions, Sacramento County, No. 1.

21. *People v. Seymour alias Smith*, Court of Sessions, Sacramento County, No. 276; 6th District Court, Sacramento County, 2nd Ser., No. 1330. In Sacramento in December, 1855, Ida Vanard knifed one man and shot another because they refused to treat to champagne at her place of business on 4th Street. The house motto, Ida said, was: "Treat, trade, or travel." *People v. Vanard*, Court of Sessions, Sacramento County, Nos. 638, 642.

22. *People v. Seymour*, 6th District Court, Sacramento County, Criminal, No. 65.

23. *People v. Hopkins*, 6th District Court, Sacramento County, Criminal, No. 63. Not until 1855 was an act passed "To suppress houses of Ill-Fame." Keepers and residents of such houses were made subject to a misdemeanor conviction punishable by a jail term not exceeding six months or a fine not exceeding \$500, or both, at the court's discretion. *Cal. Stats.* (1855), 76.

24. *People v. Owners & Occupants of the "Shingle" House*, Oct. 25, 1850, Recorder's Court, City of Sacramento.

25. *People v. Scott*, Aug. 11, 1850, Justice of the Peace, Sacramento City.

26. *People v. John Doe alias Wright et al.*, Nov. 1, 1850, Justice of the Peace, Sacramento City.

27. *People v. Barnard*, Sept. 6, 1850, Justice of the Peace, Sacramento City.

28. *Shacklett v. Dollarhide*, Court of First Magistrate, District of Sacramento, Territory of California. Civ. No. 46; *Record-First Magistrate*, Aug. 2-Nov. 6, 1849, District of Sacramento, 23, CSA.

29. *Childs v. McPike & Strother*, County Court—Civil, Sacramento County, No. 127; *County Court Records, Civil & Criminal*, Sacramento County, A, 130, CSA.

30. *Hooper v. Rising Sun Mining and Trading Association*, Court of First Instance, District of Sacramento, Civ. No. 98; *Record—First Magistrate*, Aug. 22-Nov. 6, 1849, District of Sacramento, 50, 51, CSA; *Court of First Instance, Criminal*, District of Sacramento, 2, CSA.

31. *Boune et al. v. Mesick et al.*, Court of First Instance, District of Sacramento, Civ. No. 569.

32. *Ketcham v. Carman*, Court of First Instance, District of Sacramento, Civ. No. 321.

33. "Petition for Dissolution of a Copartnership," Dec. 6, 1849, *Boune et al. v. Mesick et al.*, loc. cit.



34. *Williams v. Sandford*, Court of First Instance, District of Sacramento, Civ. No. 468. Williams, however, was awarded \$1,767 damages for Sandford's refusal to release the goods to him in California.

35. *Morse & Stillman v. Steamer McKim*, Court of First Instance, District of Sacramento, Civ. No. 387; *Judgment Book*, Court of First Instance, District of Sacramento, 160, CSA. Butler's bill, for thirty-eight days in the hospital's main ward at \$10 per day, amounted to \$380.

36. *Sonnichson v. Brown, et al.*, 8th District Court, Humboldt County, No. 5.

37. *Dye v. Bayley*, Court of First Instance, District of Sacramento, Civ. No. 405; *Dye v. Bailey & Winters*, 11th District Court, El Dorado County, in "Judgment Roll," Supreme Court, No. 404 (1469).

38. *Petit v. Dewey & Smith*, Court of First Instance, District of Sacramento, Civ. No. 381.

39. *Mayor & Common Council of the City of Sacramento v. Kirk et al.*, (1856), 6th District Court, Sacramento County, 2nd Ser., No. 2350.

40. *Wilson & Wilson v. Lassen & Gerke*, 4th District Court, San Francisco, in "Transcript on Appeal," Supreme Court, No. 557 (1884). The case was transferred from the 9th district court, Butte County, to the 4th district court, San Francisco, on the grounds that the judge of the 9th district was "disqualified from trying this cause."

41. *Muldraw v. Norris*, 6th District Court, Sacramento County, 1st Ser., No. 474.

42. *Young v. Starkey et al.*, Superior Court of the City of San Francisco, in "Transcript on Appeal," Supreme Court, No. 24 (162).

43. *Fulton & White v. Dring*, Superior Court of the City of San Francisco, in "Transcript of Record on Appeal," Supreme Court, No. 50 (6159).

44. *Lurvey v. Wells, Fargo, et al.*, 6th District Court, Sacramento County, 2nd Ser., No. 1024.

45. *Estate of James E. Birch, Deceased*, Probate Court, Sacramento County, No. 416, Vouchers File B, No.'s 6, 2, 13, 8.

46. *Sacramento Valley Railroad v. Moffat et al.*, 6th District Court, Sacramento County, 2nd Ser., No. 2388. This case is listed in the plaintiff index as "Sacramento Valley Railroad, In the Matter of Application."

47. *People v. C.P.R.R. Co. et al.*, 14th District Court, Placer County, in "Transcript on Appeal," Supreme Court, No. 1494 (17220), 42. Extracts from this case and the following two cases appear in W. N. Davis, Jr. and George Hruneni, eds., "The Company Played Rough: The Hard Side of the Big Four and the Central Pacific R. R. Co.," Sacramento County Historical Society *Golden Notes*, 15 (July, 1969).

48. *Butterfield v. Central Pacific Railroad Co. of Cal.*, 14th District Court, Placer County, in "Transcript on Appeal," Supreme Court, No. 1837 (15683), 16, 17.

49. *Tarbell v. Central Pacific R. R. Co.*, 14th District Court, Placer County, in "Transcript on Appeal," Supreme Court, No. 1442 (16822), 12, 13.

50. *Ibid.*, 24, 25.

This promissory note was signed by John A. Sutter two years before he arrived in California. After establishing himself in the state, he was frequently asked to testify in legal proceedings involving early settlers in the Sacramento area.

John A. Sutter  
 I, John A. Sutter, of the County of Placer, State of California, do hereby certify that the above is a true and correct copy of the original as the same appears in the records of the County of Placer, State of California, and that the same is a true and correct copy of the original as the same appears in the records of the County of Placer, State of California, and that the same is a true and correct copy of the original as the same appears in the records of the County of Placer, State of California.

J. A. Sutter

1844.03

51. *Kline v. Central Pacific Railroad Company of California*, 6th District Court, Sacramento County, in "Transcript on Appeal," Supreme Court, No. 1836 (15864), 2, 8, 9.

52. *Sagat & Southward v. Murray*, Court of First Instance, District of Sacramento, Civ. No. 335; *Hampton v. Niles & Co.*, Court of First Instance, District of Sacramento, Civ. No. 284; *Harrison v. Nathan*, Court of First Instance, District of Sacramento, Civ. No. 447; *Peterson v. McNulty*, Court of First Instance, District of Sacramento, Civ. No. 422. At Barnes Bar on the North Fork of the American River in November, 1849, 600 pounds of flour sold for \$300, and pork was worth \$1.25 per pound. *Bristol v. Potter & Brown*, Court of First Instance, District of Sacramento, Civ. No. 418.

53. *Bedell v. Stetson & Sheldon*, County Court—Civil, Humboldt County, No. 4; *Cooper v. Truesdell & Janes*, 8th District Court, Humboldt County, No. 43; *Armstrong v. Dailey*, County Court—Civil, Humboldt County, No. 22; *McRae v. Titlow & Seright*, County Court—Civil, Humboldt County, No. 27.

54. *Hack v. Mayberry & Sullivan* (1865) and *Smith v. Jeter* (1864), Justice of the Peace, Franklin Township, Sacramento County.

55. *Jones et al. v. Hubbard, Brown & Co.*, Court of First Instance, District of Sacramento, Civ. No. 188; *Record, First Magistrate*, Aug. 2-Nov. 6, 1849, District of Sacramento, 96, ff., CSA.

56. *Estate of Peter Slater*, Probate Court, Sacramento County, No. 6. The coins and gold dust were appraised as worth \$4,807.96.

57. *Cal. Stats.* (1850), 230. Further, the act of 1850 regulating proceedings in civil cases provided that, "No black, or mulatto person, or Indian, shall be permitted to give evidence in any action to which a white person is a party, in any Court of this State." *Cal. Stats.* (1850), 455.

58. *People v. Potter*, Dec. 12, 1850, Justice of the Peace, Sacramento City. For background and for facsimiles of documents of this case, see David L. Snyder, *Negro Civil Rights in California: 1850* (Sacramento Book Collectors Club, Special Publication No. 10, Tamalpais Press, 1969).

59. *People v. Hall*, 10th District Court, Nevada County, in "Transcript on Appeal," Supreme Court, No. 255 (7158).

60. The supreme court declared that "the name of Indian, from the time of Columbus to the present day, has been used to designate, not alone the North American Indian, but the whole of the Mongolian race" and further that the word "white" in the statute was to be understood in its generic sense; therefore the testimony of the Chinese witnesses was inadmissible. 4 *Cal. Repts.* (1854), 399-405.

61. "No person who is not a native or natural born citizen of the United States, or who may not have become a citizen under the treaty of Guadalupe Hidalgo (all native California Indians excepted), shall be permitted to mine in any part of this State, without first having obtained a license so to do according to the provisions of this Act." *Cal Stats.* (1850), 221. The fee for a foreign miner's tax was originally \$20 a month. The 1850 law having been repealed in 1851, a new law in 1852 set the fee at \$3 per month, which was increased the next year to \$4 per month. *Cal. Stats.* (1851), 424; (1852), 84; (1853), 62. During the twenty years the state collected the foreign miners' tax; receipts totaled more than \$5,000,000. For the legislative history of the foreign miners license tax, see William C. Fankhauser, *A Financial History of California*, University of California Publications in Economics, Vol. 3, No. 2 (Berkeley, 1913), pp. 135-37, 159, 160, 199, 200. M. Dillon, French consul at San Francisco, protested to the governor in September, 1850, that the foreign miners' tax collector in Butte County "had deprived two of my fellow-citizens, named Dumaulin and Constant, of their personal liberty, and dragged them off, with violence, towards Marysville,—although they were confessedly unable to pay the tax,—having just then come into the district of Grass Valley." Dillon to D. F. Douglass of the Senate Committee to examine into the official conduct of Mr. Adams, dated San Francisco, Mar. 15, 1851, Legislative Papers LP 141834, CSA. Joseph Williams, foreign miners' tax collector in Sierra County in 1855, advised the legislature that he had been "stopped by two Mexicans and robbed of the sum of nine hundred and sixty dollars." Petitions to Legislature, 1856-(2), CSA.

62. "Memorial of Richard C. Barry to State Legislature," Mar. 2, 1855, in "Petition of

Harriet Barry with accompanying papers," Feb. 8, 1858, Petitions to Legislature, 1858-(26A) CSA. H. H. Bancroft, *California Inter Pocula* (San Francisco, 1888), 630-33, presents some extracts from Justice Barry's docket.

63. "Statement of Dennis Gahagan," Apr. 3, 1854, Petitions to Legislature, 1858-(26A), CSA.

64. W. S. White, Samuel Deal, et al., to Gov. John Bigler, dated Sacramento, Apr. 8, 1852, Governor's Prison Papers, No. 733, CSA.

65. This testimony is recorded in a communication of Judge Robert Hopkins, 7th District Court, Marin County, to Governor John Bigler, dated April Term, 1852, in "Proceedings in case of Pastorio, an Indian convicted in Marin County of Murder," Governor's Prison Papers, No. 679, CSA; see also *Minutes of District Court, 1850-57*, Marin County, 38, 39, 41-43, CSA.

66. Governor's Prison Papers, No. 679, CSA. Jurisdiction in all cases of complaints by, for, or against Indians and authority to approve the indenturing of Indian children and the contracting of Indian labor were given to the justices of the peace. *Cal. Stats.* (1850), 408-10. Authority "to bind and put out" Indian apprentices was transferred to the county and district judges in 1860 and abolished in 1863. *Cal. Stats.* (1860), 196, (1863), 743. Illustrative of the operation of this law, in March, 1861 William Moorhead, proprietor of a Sacramento livery stable, petitioned the county judge for the indenture of a fifteen-year-old Indian boy named Bill, formerly of the "Cottonwood" tribe, "until he shall attain to the age of thirty." "William Moorhead to Hon Robert Robinson," Mar. 4, 1861, County Court, Sacramento County, Misc. The petition of L. Harris to the same court in January, 1862, stated that the Indian boy, Frank, who was about to be discharged from the county jail, had no settled habitation or means of livelihood and therefore asked that the boy be apprenticed to the petitioner "to learn the business or occupation of a household servant." "In the Matter of the Indian Boy Frank," Jan. 28, 1862, *loc. cit.*

67. Under "An Act Respecting Fugitives from Labor, and Slaves brought to this State prior to her admission into the Union," *Cal. Stats.* (1852), 67-69, A. G. Perkins petitioned for and was granted a certificate by the Sacramento justice of the peace in June, 1852, authorizing him to remove from California to Mississippi three Negro "slaves," Robert Perkins, Carter Perkins, and Sandy Jones, who had been brought to California prior to the state's admission into the Union and were now deemed "fugitives from labor." "Proceedings before B. D. Fry, Justice of the Peace, Sacramento County," May 31, 1852, and "Opinion of Murray, C. J.," in *In the Matter of Carter Perkins on Habeas Corpus*, Supreme Court, No. 322 (3285); *People v. Gammon*, Probate Court, Sacramento County, No. 757. For a view of the "remarkable continuance of slavery" in the free state of California, see Clyde A. Duniway, "Slavery in California After 1848," in *Annual Report of the American Historical Association, 1905*, I: 243-48 (Washington, D.C., 1906).

68. "Petition of Daniel Blue for Guardianship," Feb. 24, 1864, *People v. Gammon*, Probate Court, Sacramento County, No. 757.

69. *Minutes*, Mar. 8, 1864, Probate Court, Sacramento County, D, 252, CSA.

70. The defendant was provided with both interpreter and counsel in *People v. Sylvis*, Court of Sessions, Marin County (Apr. 19, 1852), *Minutes, 1851-56*, CSA. William Watson in July, 1851, was allowed \$144 for serving nine days as a Spanish interpreter in the Sacramento County justice courts. *Record Criminal*, Court of Sessions, Sacramento County, 123, CSA. In *People v. Hall* (in the Nevada County district court in 1853), in which several Chinese testified for the prosecution, Rev. William Speer and Ha Cheen were sworn to interpret the Chinese into English and the English into Chinese. "Transcript on Appeal," Supreme Court, No. 255 (7158). Some of the practical difficulties in this area are indicated in District Judge Robert Hopkins' denial of the Indian Pastorio's motion for a new trial: "The Court gave the prisoner all the benefit of Counsel the circumstances would allow. Two attorneys declined to accept the defence and the only one present who would accept was appointed. . . ." *Minutes of District Court, 1850-57*, Marin County, 42, CSA. When Encarnación Salcido was brought before the Sacramento recorder's court in July, 1851, on a charge of assault with intent to kill, the court ordered that he be brought to trial, noting, "Deft being a Mexican and not being able to speak the English an Interpreter was called who could do but little better, but the court could make out that the deft claimed to be attacked by the witness L. G. Green and that he



only acted in self defense." *People v. Salcido*, Court of Sessions, Sacramento County, No. 174. The legislature provided in 1853 that every written proceeding in a court of justice should be in the English language, with the exception that "In the counties of San Luis Obispo, Santa Barbara, Los Angeles and San Diego, the proceedings may be in the English or Spanish languages." *Cal. Stats.* (1853), 305.

71. In 1855, the act of 1850 for the government and protection of Indians was amended to provide that "in all cases arising under this Act, Indians shall be competent witnesses, their credibility being left with the jury." *Cal. Stats.* (1855), 179. In 1863 the prohibition against Negro witnesses was removed, the restrictions being maintained for Mongolians, Chinese, and Indians. *Cal. Stats.* (1863), 60, 69. The new *Code of Civil Procedure* (Sacramento, 1872), 493, 494, and *Penal Code* (Sacramento, 1872), 273, removed the remaining prohibitions against Indian and Chinese witnesses. See James A. Fisher, "The Struggle for Negro Testimony in California, 1851-1863," in *Southern California Quarterly*, LI: 313-24 (December, 1969).

72. *Burnett et al. v. Mayhall et al.*, 6th District Court, Sacramento County, 1st Ser., No. 512. Sutter's deposition has been published in W. N. Davis, Jr., ed., "Additional Light on Sutter: A Selection of Hitherto Unpublished Sutter Items," Sacramento County Historical Society *Golden Notes*, 14 (January, 1968). A promissory note for \$1010.54 that Sutter signed on July 17, 1837, two years before he came to California, is filed in *Lucas & Kavanaugh v. Sutter*, 6th District Court, Sacramento County, 1st Ser., No. 93.

73. "Affidavit of Sutter," Dec. 7, 1857, *Estate of William Daylor*, Probate Court, Sacramento County, No. 82.

74. "Deposition of Alexander Adams," Aug. 15, 1860, *Curtis v. Sutter et al.*, 7th District Court, Sonoma County, Old Ser., 914- (126, 127).

75. *Norris v. Howell*, 6th District Court, Sacramento County, 2nd Ser., No. 2183.

76. *Loc. cit.*

77. *Pomeroy v. Dennis alias Pomeroy*, 7th District Court, Sonoma County, Old Ser., No. 242.

78. "Answer of Jane Pomeroy," Dec. 28, 1860, *Pomeroy v. Dennis alias Pomeroy*; *Laws of the Territory of Oregon, 1855-56*, 97 (Salem, 1856). At the request of interested settlers, the Oregon territorial legislature enacted many special laws for the purpose of removing doubts as to the legality of marriages.

79. *Prudon v. Prudon*, 7th District Court, Sonoma County, Old Ser., No. 725.

80. *Nugent v. Hooker*, 7th District Court, Sonoma County, Old Ser., No. 742; *Cooke v. Hooker*, 7th District Court, Old Ser., No. 623. In April, 1861, as the North-South controversy deepened, Hooker applied for appointment to the office of California state adjutant general. Hooker wrote, "I have carried a willing sabre on many a well fought field & I expect to do so again, ere my race is run. I may be an indifferent soldier but am good for nothing else." He had submitted his name "only in view of something better hereafter, growing out of the distracted condition of our National affairs." Hooker to Colonel Thos. Hayes, dated San Francisco, Apr. 22, 1861, Military & National Guard, Jan.-Aug. 1861, Box 3, CSA. Hayes endorsed Hooker's letter and forwarded it to Governor Downey.

81. *Yount v. Hooker*, 7th District Court, Sonoma County, Old Ser., No. 839. In *Albertson v. Hooker*, 7th District Court, Old Ser., No. 684, Hooker was required to pay a judgment of \$1,021 to Albertson for delivery of 884 cords of wood from the embarcadero at Sonoma to the government wharf at Benicia.

82. "Estate of Henry Gleason," Probate Court, Humboldt County, No. 58. Gleason's name originally was Herman Glaser.

83. "Estate of Mary Lee," Probate Court, Sacramento County, No. 227; *Sacramento Daily Union*, October 22, 1853, pp. 2, 3.

# REVIEWS

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Charles Wollenberg, *Reviews Editor*

## Library Resources: The Bancroft Library— Then and Now

ROBERT H. BECKER, *associate director of The Bancroft Library.*

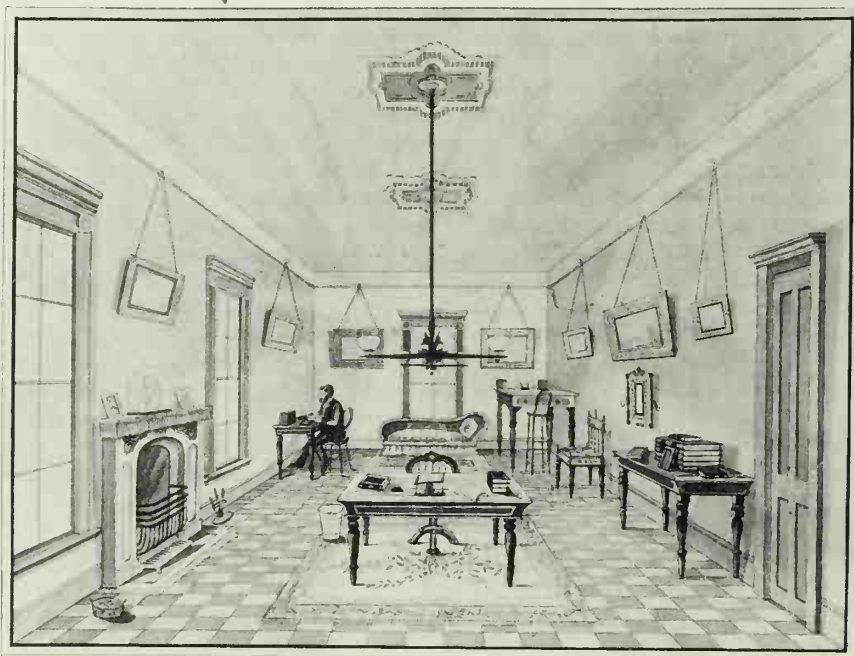
IN THE HISTORY OF BERKELEY'S WORLD-FAMOUS BANCROFT LIBRARY, May 6, 1973, marked a significant day: it was the occasion of the formal opening of totally new and greatly expanded facilities for research and of recognition of the library's wider responsibilities within the University of California campus community. Traditionally, as the library's founder, Hubert Howe Bancroft, determined more than a century ago, The Bancroft Library has focused its collecting on the history of western North America. Within the past few years, however, the library's scope has widened to include several divisions, of which the old Bancroft Collection is but one. The library now includes the Rare Books Collection (formerly part of the General Library), thereby bringing together and preserving much of the special library materials of the larger Berkeley campus—from an ancient Hebrew commentary on the Pentateuch to modern first editions, from monastic writings of the Middle Ages to the letters, manuscripts, and printed works of D. H. Lawrence and Stephen Spender. Another library division consists of the Mark Twain Papers, the world's most comprehensive collection of the manuscripts, notebooks, correspondence, and memorabilia of one of America's major authors. The Regional Oral History Office, following a well-established Bancroft tradition, has been created to record the living memories of present community leaders, making use of the tape recorder in place of written dictation. And, finally, the library also has assumed responsibility for the administration of the state-wide University of California Archives.

The central place where all these riches are assembled for use by scholars is the Edward Hellman Heller Reading Room, whose names honors a bibliophile, serious student of history, long-time member of The Friends of The Bancroft Library, and, for eighteen years, a regent of the University. The handsome new quarters, entirely financed by private donations, are open not only to the university community of undergraduates, graduates, and faculty, but also to scholars who come from all parts of the world to make use of the library's resources. In addition to the reading room, the Bancroft has for the first time a separate exhibition gallery in which are displayed choice items from the library's pictorial collections, and—in wall and floor cases—manuscripts, rare books, and artifacts, including Sir Francis Drake's Plate of Brass which is the first known English document to be written in California. The library also provides a well-equipped seminar room for classes and groups engaged in studies requiring original documents ranging from Elizabethan England to contemporary California politics and colonial Mexico to modern printing in the San Francisco Bay area. Adjoining the seminar room is a press room, containing the library's Albion press, type, and other equipment necessary not only to understand, but to practice hand printing.

The facilities, and the resources contained in the library's new quarters, are a far cry from the scant seventy-five volumes concerning California and the West that H. H. Bancroft, one



*After one of the city's frequent fires almost burned the store housing Bancroft's growing collection, he had the sturdy building (right) on Valencia Street constructed in 1882. Metal shutters were among its fire safety features. Its stacks (above) and office (below) were adequate for his collection which had taken nearly twenty-five years to assemble. Again escaping destruction in the great quake and fire, Bancroft's library was moved to the East Bay's University of California campus in May, 1906. Today, scholars from around the world pursue their studies in the library's new main reading room (opposite).*





of San Francisco's pioneer stationers and booksellers, assembled from his store's stock in 1859 to accommodate the editor of a projected guide-book to the Pacific states. Surprised by the number of books and pamphlets about this region in his own store, Bancroft began a new career: that of book collector. Supported by his prospering business, Bancroft had the time and the means to comb countless bookstores and auction galleries both in America and in Europe.

California, he had determined, was to be the center of his collecting, but when and where did California begin? The first European settlers had come from Mexico and were the product of more than two centuries of Spanish occupation and assimilation. In fact, the California of Bancroft's day was only a generation away from being an outpost of the Republic of Mexico. To understand this California, Bancroft reasoned, he must know something of that Mexican heritage. Similarly, he must learn about the earlier settlers, the Indians. Indeed, his sympathy for the Native Americans—a sympathy rooted in his New England background and, perhaps, his own early experience as a wagon driver in the Underground Railroad, smuggling escaped slaves across Ohio to freedom in Canada—became apparent in his later writings. His collecting efforts widened further. "From Oregon it was but a step to British Columbia and Alaska," he acknowledged, "and as I was obliged for California to go to Mexico and Spain, it finally became settled to my mind to make the western half of North America my field, including in it the whole of Mexico and Central America."

Bancroft was fortunate even beyond his hopes, and, as his collecting project took form, he began to realize the richness of documentary sources lying unused on every side. By a bit of intrigue and great diplomacy, he secured the help of General Mariano Guadalupe Vallejo, surely the greatest name in the last decades of Mexican California. Once interested, Vallejo donated to Bancroft not only his own collection of papers which included those of his relatives Jacob P. Leese and John B. R. Cooper, but, as well, the records of more than twenty years of



the Presidio of San Francisco. With Vallejo's endorsement, Bancroft had an entree to other, very much alive *Californios*, who possessed not only important documents that they were willing to donate, but, also, long memories and much to say about life in the halcyon past before the advent of the perfidious Yankee. Bancroft addressed them with tact, and his agents and interviewers who spoke fluent Spanish were patient and sympathetic listeners.

The collector himself traveled to the Pacific Northwest to gather source materials and to interview pioneers. Here, for example, he was given the private books and papers of Sir James Douglas, late governor of British Columbia. He met with leaders of the Mormon church; he traveled to Mexico City, where he spent two weeks interviewing Porfirio Díaz. He sponsored hundreds of interviews in California, including many with members of the two San Francisco Committees of Vigilance, and he recorded the memories of scores of his contemporaries: miners, merchants, manufacturers, farmers, ranchers. Bancroft, and his interviewees, were justifiably impressed with themselves, the dramatic scenes they had witnessed, and the bewildering changes that they had brought about.

The scope of Bancroft's growing collection created a number of problems, the chief of which in Bancroft's practical mind was what to do with it. He once estimated that four centuries and fluency in languages from Aztec and Spanish to Russian and Hawaiian would be needed for one man to read it all. At one time Bancroft considered sponsoring an encyclopedia of the Pacific states, with articles based largely on his own collection and written by various authorities. Scholars expressed enthusiasm but failed to write the articles. Finally, he resolved to produce himself a definitive, multi-volume history of the area that he would make his own, with the help of many assistants and a great amount of time. First there appeared five volumes entitled *The Native Races*, then volumes on Central America, Mexico, the North Mexican states, California, Oregon, the remainder of the American West, and, at last, British Columbia and Alaska.

By 1894 the project was completed, and in March of the following year there appeared in the *Overland Monthly* an article titled "A Mine of Musty Manuscript," written by J. T. Peatfield, one of Bancroft's assistants, describing the accomplishment of his employer. Understandably, Bancroft was praised, but the real adulation was directed to his magnificent collection which, in fact, was not musty, comprised far more than manuscript, and was, and is, an inexhaustible mine for historical research. In 1905 it was purchased by the regents of the University of California, and although still housed in San Francisco at the time of the earthquake and fire of 1906, by great good fortune it entirely escaped destruction, the only major library in the city to do so. In May, 1906, The Bancroft Library was moved into the attic of newly-completed California Hall on the Berkeley campus.

During the ensuing six and one-half decades, the library's resources have grown, partly by continuation of Bancroft's own collecting methods and, to a larger degree, by the expansion of new programs. When Bancroft was refused loan of the 300-volume Archives of Spanish and Mexican California then in the custody of the U. S. Surveyor General in San Francisco, he hired scribes to copy out relevant portions. Similarly, manuscript copying of materials almost inaccessibly deposited in the archives of Spain, Mexico and Great Britain was continued under the administration of Professor Herbert E. Bolton, the historian of California and the Southwest who served as the library's director from 1916 until 1940. With the development of photographic facilities in the 1930's, photostats began to replace typescripts in the Bancroft's files. In 1948, the recently appointed director, Professor George P. Hammond, instituted a program that continues to this day: the reduction to microfilm of great quantities of archival source material.

Realizing that additional funding would be necessary to assist the library's expansion, Professor Hammond and a group of his colleagues formed The Friends of The Bancroft Library in 1946. Its membership close to two thousand, the Friends provide both moral and financial support to the library's staff. An annual keepsake, generally a first publication of an item in the library's collections, handsomely printed by a leading printer, is given to the Friends, and they also receive issues of *Bancroftiana*, a lively, occasional, illustrated newsletter which includes items about accessions and activities.

Under the present director, Professor James D. Hart, the library remains committed to its traditions and, at the same time, is concerned with expanding its fields of collecting. The li-

brary's academic associations have been greatly strengthened in recent years by the appointment of faculty to the staff; these members include a distinguished bibliophile who served as a visiting regents' professor, two professors from the department of history who guide a new program in the history of science and technology, and a member of the school of librarianship who teaches the use of Bancroft's hand press. Now firmly established is the History of Science Collection, documenting the remarkable developments that have taken place in Berkeley and the San Francisco Bay area in the past few decades. Accordingly, the library has received the papers of Ernest Orlando Lawrence and other pioneers whose achievements in diverse scientific fields have brilliantly illuminated the Berkeley campus. Funds have been obtained to institute a five-year project that will include the gathering and processing of other notable collections still in private hands, particularly those of the inspired engineers who established the electronics industry on the San Francisco peninsula. An important aspect, too, is the oral history program which will augment these collections of personal papers.

Just as Hubert Howe Bancroft regarded his library as "not merely a depository of learning, but a society for the promotion of knowledge," so, too, does The Bancroft Library of today engage in an active publications program. Two volumes of a projected three-volume guide to the library's manuscripts collections have been published, and all of Mark Twain's correspondence and unpublished manuscript material, including not only notebooks but complete texts hitherto unavailable, are being edited for publication. Transcripts of interviews prepared by the Regional Oral History Office are available for sale to libraries throughout the country. Finally, a program involving a new format—ultrafiche—is now underway, with the publication of the diary-letters of Senator Hiram W. Johnson. A maximum of one thousand pages of text will appear on a single three-by-five-inch plastic card, to be read by means of an inexpensive projector light enough to hold on one's lap!

The riches of a library such as Bancroft depend not only on the written (and transcribed) word, but also on the pictorial representation of human history and social development. Hence, in the past several decades the library has assembled a truly outstanding pictorial collection. It includes more than one million photographs and ranges from the daguerreotypes of the 1850's to studies of the Yosemite Valley by Ansel Adams and news photos of events of the 1960's. The most spectacular recent addition in this field is the Robert B. Honeyman, Jr., Collection of Western American Art, purchased in 1966 by members of The Friends of The Bancroft Library and by the regents of the University of California for more than \$500,000. Even then, the price was substantially below current values, and the replacement cost today would be staggering. The chief asset of the Honeyman Collection, indeed of the entire pictorial collection, is not simply its artistic merit, but its value for scholarly documentation. Its core of drawings and paintings of the late eighteenth and nineteenth centuries provides views of a world long since disappeared.

The library brings its multitudinous resources together for one major purpose: to serve the needs of scholarship, not just today but in the future as well. It is the serious student, primarily, to whom the Bancroft is responsible. The recent establishment of fellowships—open to graduate students on all University of California campuses whose research focuses on source materials in the Bancroft—allows the library to give a helping hand to two of that number each year. The awards include a stipend to cover university fees and major living costs for a year of research. These scholars and countless others, young and old, continue to find rewards in what was once called a "Mine of Musty Manuscript," for, in actuality, the Bancroft is a lively source of widely diverse knowledge, valuable for understanding former times and, as well, our own.



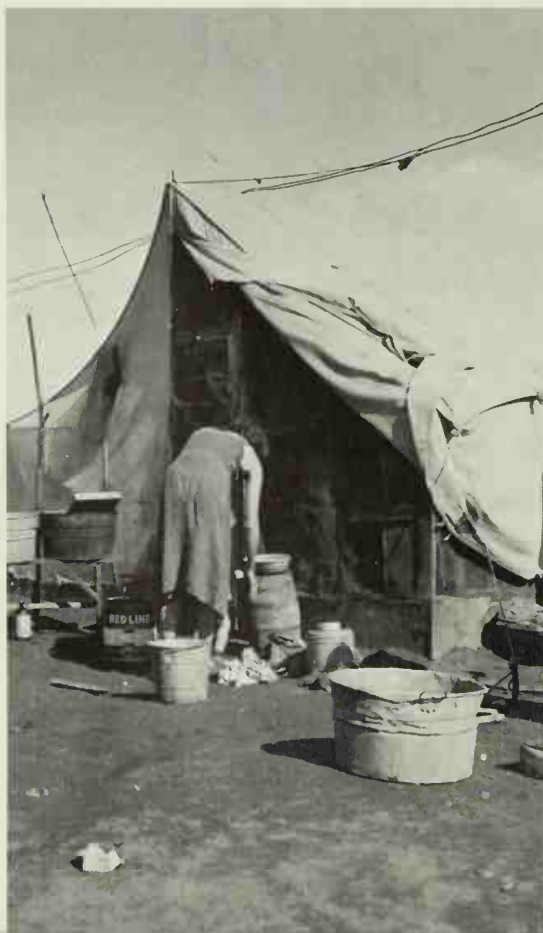
## Book Reviews

*California and the Dust Bowl Migration.* By Walter J. Stein. (Westport, Conn.: Greenwood Press, 1973. xiv, 302 pp. \$12.00.)

Reviewed by CHARLES WOLLENBERG, reviews editor.

WHY THE CONTINUING FASCINATION with the odyssey of the Okies? The oppressive conditions they encountered in California fields had plagued people of Asian and Mexican descent for more than sixty years before the Depression. Moreover, the Okies constituted only a third of the total number of people who migrated to California during the thirties, and the population growth of that decade was well below that of the twenties or forties. Yet the dust bowl migration is etched on the American consciousness like no other event in California history except the gold rush.

Certainly, in part, this is due to the writings of reformers such as Carey McWilliams, the photographs of Dorothea Lange, and, above all, the printed and movie versions of John Steinbeck's *Grapes of Wrath*. But the works of McWilliams, Lange, and Steinbeck were as much symptoms as causes of the public concern over the plight of the Okies. More to the heart of the matter is Walter Stein's statement from *California and the Dust Bowl Migration*: "The Okies were not the cause, but the focus of a number of problems confronting the state. . . . They intruded upon an agricultural system that contradicted every myth in the Jeffersonian pantheon, and they served as unwitting publicists for those who found California's agriculture and its social effects unsound. They aggravated social and economic dislocations evoked by the depression and became pawns in deadly conflicts that arose from hard times."



*Auto camp tent space, water, and electric light cost migrants \$1 a week in Tulare County in November, 1938.*

OPPOSITE: *Migrant families such as one bound for Nipomo in February 1936, sometimes traveled in caravans, assisting each other. Journey made difficult by poor roads, unfriendly locals, and worn autos and pick-up trucks.*



The most significant part of the story, then, is not the Okies themselves, but California's reaction to them. Stein points out that hysteria against the migrants reached its peak after 1938, when ambitious and often naive schemes were hatched to deal with the Okies' problems. The reforms proposed by liberal Governor Culbert Olson, the policies of the federal Farm Security Administration, and the ambitious CIO campaign to organize agricultural workers presented profound challenges to the status quo in rural California, and the result was social polarization and conflict, with the migrants as the chief scape-goats. Ironically, according to Stein, in the end the Okies were too imbued with traditional American individualism to allow the reformers' and organizers' plans on their behalf to succeed.

With insight, Stein discusses the Okies' temporary status as a white, Anglo-Saxon, Protestant, minority group, and, clearly, for a few years Okies did play a social and economic role historically reserved for non-whites in California. The author also provides good discussions of the agricultural history of the Great Plains, the role of California cotton as a trail-blazer of migration, and the contradictions of New Deal agricultural policies. Stein is particularly perceptive in dealing with the relationship between the availability of Okie labor and California-grower attitudes toward Mexican immigration.

This book puts the Okie experience into historical perspective. The controversies of the thirties had their origins in the development of large-scale California agriculture in the 1870s, and these controversies remain unresolved today. In his own words, Stein "illuminates the ambivalence and conflicts in character of what has become the nation's largest and, in many ways, zaniest state."



*At Brawley in early 1939 this migrant wife wanted to return home, but her husband explained with regret: "I've made my mistake and now we can't go back. I've got nothing to farm with."*

*Photos and caption information taken from Dorothea Lange and Paul S. Taylor, An American Exodus (New Haven, 1969). Photos are from the Farm Security Administration archive of the Library of Congress.*



*Sand In a Whirlwind: The Paiute Indian War of 1860.* By Ferol Egan. (New York, Doubleday, 1972. 316 pp. Illustrations. \$8.95.)

*The Paiutes of Pyramid Lake: A Narrative Concerning a Western Nevada Indian Tribe.* By Ruth Hermann. (San Jose, Harlan-Young Press, 1972. 254 pp. Illustrations, maps. \$7.50.)

*Carleton's Pah-Ute Campaign.* By Dennis G. Casebier. (Norco, Ca., Dennis Casebier, 1972. 58 pp. Illustrations, two pocket maps. \$3.50.)

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*Reviewed by* RICHARD H. DILLON, *author of* *Burnt-out Fires, a history of the Modoc Indian war, which is reviewed in this issue.*

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ONLY LATELY HAS NEVADA BEGUN TO EMERGE from its long status as a cultural satellite of California. Just a few years ago, books about the state (barring those of Effie Mona Mack) were likely to be written by Californians—Oscar Lewis, Carl Glasscock, George Lyman, or Lucius Beebe. Now, in relative maturity and prosperity, the Sagebrush State not only has several good libraries, a growing statewide historical society, and two up-and-coming universities, but also a promising passel of native writers.

For all of this renaissance (or, rather, naissance) in letters, several of today's best writers about Nevada are Californians. *Vide* David Myrick and Ferol Egan.

Egan's excellent new book, *Sand In a Whirlwind*, documents a classic case of American bigotry, bungling, and brutality on the Western frontier. From it, one can draw inferences which illuminate the plight of the Sioux or the Modocs, or whatever tribe. But the book is much more than a record of past events; it is a dramatic and exciting story. It passes the test as literature. Small wonder it has just won for Egan a Commonwealth Club medal.

The author eases into his story, and into Nevada, from what we might call a California posture. He recreates the mysterious death of California pioneer, Peter Lassen, in Nevada's Black Rock Desert in 1859 and reminds us that the unsolved murder was blamed on the Paiutes. This was the case though Captain William Weatherlow blamed far-ranging Pit Rivers from California, and Indian Agent Fred Dodge hinted at murder by Lassen's white enemies. In any case, anti-Paiute hostility smouldered in such settlements as Susanville and Carson City.

When two miners en route to California were shortly found murdered, with arrows, the Paiutes were again suspected. But Chief Numaga boldly rode into Carson City and helped the whites get the Chief of the Washo tribe to surrender three suspects. (Numaga, alias Young Winnemucca, saw at a glance that the arrows were from Washo bows.) Numaga later doubted the wisdom of his helping the whites, when the supposed murderers bolted from a mob of gun-waving settlers and were shot down in their tracks by the *ley de fuga*. Sarah Winnemucca was sure that the three were innocent.

Early in 1860 another white settler was found murdered, and tension mounted again in the settlements. This time the killers were Paiutes, but of a renegade band under Smoke Creek Sam which had pulled away from the tribe of Old Winnemucca and Numaga. When the whites demanded that Numaga help them capture the guilty parties, he declined after a conference with the chiefs of other bands during which he did considerable soul-searching in a religious fast. Feeling that his own people would eventually be the targets of white vengeance, he allied himself with the more war-minded chiefs.

War was not long in coming. When the Paiutes found two of their young girls kidnapped, presumably raped, and imprisoned at Williams Station, they rescued the girls and killed the three whites there. Their act of vengeance became a "horrid massacre" in the press, and the local Cincinnatus, Major William Ormsby, organized a company of volunteers to teach the Paiutes a bitter lesson.

Four detachments marched from Carson, Genoa, Silver City, and Virginia City in what was half-lark, half-crusade. Ormsby's conquering army closed with Numaga's warriors near modern Nixon, where the Truckee flows into Pyramid Lake. The amateur soldiers were cut to pieties, like the troopers in the Lava Beds and at Little Big Horn a few years later. Ormsby

was killed, along with seventy of his militiamen. The rest, wounded or shocked or panic-stricken, scattered like rabbits and ran for home.

Northern California responded not only with troops from the San Francisco Presidio but by mustering militia companies like the Sierra Guards and rushing them to Nevada. Ex-Texas Ranger and ex-San Francisco Sheriff John Coffee Hays accepted the command of this "Washoe Regiment" of almost 600 men and combined it with the U.S. Army regulars of the Carson Valley Expedition. Jack Hays was no Ormsby; he was a real fighter. He got on Numaga's trail and forced a fight at Big Meadows. It was an indecisive skirmish, but Hays clung to Numaga's force like a tick and engaged the Indians again in the Battle of Pinnacle Mountain. It was a defeat for the Paiutes, but not a definitive one. They simply slipped away into hiding in the Black Rock Desert.

The embers of revenge finally cooled and the volunteer army broke up, while the regulars built Fort Churchill on the Carson River to keep the peace. Colonel Frederick Lander persuaded Numaga to abandon warfare, and an honest Indian agent, Warren Wasson, protected the Paiutes from Yankee aggression.

But the Paiutes were doomed. Wasson left the area and squatters quickly moved onto Indian land. Numaga died of tuberculosis in 1872 and many of the Paiutes, fearful of vengeance, drifted away to join their Snake kin in Oregon or the Bannocks in Idaho. (Their fears were justified; in 1865 a glory-seeking lieutenant had massacred a village of women, children and oldsters while the men were away hunting.) A handful remained in their homeland, trying vainly to protect Pyramid Lake from the rapacity of white "civilizers." They are still trying.

Ferol Egan has given us a case study in frontier aggression against an Indian tribe. But this is no socio-historical treatise. He writes well, like a novelist. He obviously polishes his prose just as he does his research "homework." It is easy to see that his mentors have been writers like A. B. Guthrie and George R. Stewart. And, finally, he is skillful in getting inside the heads and hearts of his protagonists, to see what makes them tick and to make them come alive on the printed page.

Ruth Hermann's book is not as well-written as Egan's by a long shot, but it is a useful addition to our library shelves, and it complements *Sand In a Whirlwind* by furnishing background to that dramatic story and by bringing the story up to date. She is able to do the latter thanks to her friendship with Chief Harry Winnemucca of the Paiutes. Her book is not only rich in historical data but also in information on Paiute culture.

Dennis Casebier's study is poles apart from Ms. Hermann's. Where her work is a broad narrative, his is a very narrow study. It is more of a pamphlet than a book, and he is more compiler than author. Casebier has ransacked the record-groups of the National Archives and the columns of old newspapers to put together the documentation on Major James H. Carleton's punitive expedition against the Paiutes of California's Mojave Desert in 1860. This is the minutiae of history which, when put through the mental mills of writers like Egan, and blended with interpretation and insight, results in award-winning books like *Sand In a Whirlwind*. It is excellent "detective work," both in archival searching and in field work around Bitter Springs and Camp Cady in the bleak Mojave River country.

*Burnt-out Fires: California's Modoc Indian War.* By Richard Dillon. (Englewood Cliffs, N.J.: Prentice-Hall, 1973. 371 pp. Illustrations, maps, bibliography, index. \$8.95.)

*Reviewed by FEROL EGAN, whose latest book (1972), Sand In a Whirlwind: The Paiute Indian War of 1860, was awarded a Commonwealth Silver Medal for non-fiction.*

*Burnt-out Fires* IS YET ANOTHER CHAPTER in the sordid history of the conquest of the American Indians. In this study of the Modoc War, Richard Dillon has unearthed all the facts and myths of the conflict and put together a tragic picture of a war that should not have taken place.

Suffering from betrayal by the United States government which refused to live up to its earlier treaty with them, the Modocs under the leadership of Captain Jack and Scarface

Charley refused to be re-located. The result of their logical refusal was one of the most incredible battles between whites and Indians. For the force sent against Captain Jack and his band of fifty-three warriors and their families consisted of between 500 and 1000 men. This army included regulars, volunteers, and Indian scouts. Furthermore, it was a military unit that did not suffer from a lack of food, ammunition, rifles, and howitzers. Nevertheless, for six months in 1872-73, the Modocs more than held their own against this governmental overkill.

Dillon has tried to be objective and to show that the whites were not all bad in this sorry affair. But his efforts were doomed from the beginning. No matter how good *some* whites were, there is no escaping one damning fact: the Modocs were fighting to defend their homeland against white intruders who considered the Indians to be less worthy than themselves.

The only stain on the Modocs in this chapter in California's history is that they murdered General Canby and Reverend Thomas who had arranged a meeting with them to see if bloodshed could be avoided. But this betrayal of innocent and well-intentioned peacemakers was not the fault of Captain Jack. It was one of those tragic blunders committed by hot-headed warriors who had endured more than enough from the white invaders of their land. But the murders at the peace tent sealed the fate of the Modocs, and the battle took place.

Unlike other battles between whites and Indians, this was not a Hollywood production featuring Plains Indians riding wildly in a last charge for glory as the cameras rolled out the American myth that exists to this day. To the contrary, the tactics used by the Modocs were more like those utilized in the trench warfare of World War I. The warriors used their knowledge of the lava beds to a great advantage, and, in the end, they made the army pay dearly for its victory. For while the Modocs lost only six men in direct combat, the army submitted a tally of sixty-four dead and sixty-eight wounded—a very high price for a stretch of boulders and poor pasture and, at that, a tally that Dillon considers to be a low body count.

The heroes and even the villains who stand out in this history are all Modoc. Though Dillon tries to make his case for the *good* whites, and good they were, the drama and the glory belong to the Modocs. And it is fine that they at least achieved this out of their sacrifice, for they didn't get anything else. When the battle ended, Captain Jack and three others were sentenced to be hanged. Then, to compound this questionable verdict, the heads of the dead Indians were cut off, pickled, and sent to the Army Medical Museum, while the warriors who had betrayed them and aided the whites were spared. Yet, even these traitors found that there was to be no end to the punishment of the Modocs; they were removed from the Land of Burnt-out Fires and transplanted to live out the rest of their lives on a reservation that the government had rented from the eastern Shawnees.

Altogether, *Burnt-out Fires* is a comprehensive study of what took place in the name of Manifest Destiny. But the one thing that is missing is a final summary of outrage at what happened in the name of sheer racial bigotry. Beyond that, this is a solid history that belongs on any concerned reader's bookshelf. Still, this reviewer wishes that the author had allowed himself a touch of gut-level anger and disgust at a very shoddy moment in California's history.

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*Ambrose Bierce.* By Mary E. Grenander. (New York: Twayne Publishers, 1971. 193 pp. Index. \$4.95.)

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*Reviewed by* CHARLES McCABE, columnist and raconteur on the staff of the *San Francisco Chronicle*.

THERE IS SOMETHING ABOUT THE ACID SENSIBILITY of Ambrose Bierce that is most engaging to the present-day young. *The Devil's Dictionary* and *In the Midst of Life* are quoted with approval in New York's East Village, San Francisco's North Beach, and campuses from MIT to Berkeley. Mary Elizabeth Grenander, who has spent a good deal of her life in the study of the California newspaperman, short story writer, aphorist, and Civil War hero, takes the view that "Bierce's significance, not only to American letters but in world literature, is on the verge of a major reevaluation." The author duly notes that Bierce's "underground reputation has steadily grown with the years."

There is reason to believe the position is well-taken. One of the reasons for the neglect of



Bierce is that his reputation was too firmly based in San Francisco, which was another way of saying death in the late nineteenth century. Bret Harte and Mark Twain got to New York and London, where literary reputations were solidified. Bierce never bothered. His days in Washington and the East were those of an agent for W. R. Hearst in fighting the Southern Pacific.

In *Write It Right*, Bierce said "good writing . . . essentially, is clear thinking made visible." More than half of Miss Grenander's book (she is a professor of English at the State University of New York at Albany) is devoted to "a more accurate appraisal of Bierce's writing." She divides his writings, in the unfortunate cant of English departments everywhere, into: Didactic Tales, Mimetic Tales of Passion, Mimetic Tales of Moral Choice, Mimetic Tales of Action, and Dazzling Brilliants: The Short Forms. What she says about the writing, though, is sensible and to the point.

The newspaper column started in San Francisco. The first of its kind, as we generally know the form, appeared here in 1874 in *The Argonaut*. It was a compost of gossip, apothegmatic utterance, political comment, short stories, and general vituperation. It was signed "The Prattler." Everybody in town knew who "The Prattler" was. He was a cynic named Ambrose Gwinnett Bierce. Few called him Ambrose. His well-deserved name was Bitter Bierce.

Bierce was born into a poor, highly religious Ohio family, had little education, served bravely in the Civil War, and came to San Francisco. Here his writings in *The Overland Monthly* and his friendship with Mark Twain, Bret Harte, and Joaquin Miller made him a kind of Doctor Johnson of the West Coast. He could make or break authors and books with his gibes, and did.

Bierce's influence reached its height when young Willie Hearst in 1887 took over the dying *Examiner* from his father. One of Hearst's first acts in reviving the paper was to hire "The Prattler." From this growing and highly effective podium, Bierce peppered the sons and grandsons of the Forty-niners, and more recent arrivals, with his particular dour wisdom.

The thing that spread wide Bierce's reputation, and has kept it alive in a small way ever since, was the characteristic way he left the San Francisco scene. In 1914 he went to Mexico, where he was presumably fighting with the rebel army of Pancho Villa. One day in that year, he simply faded away. He was never heard from again. A letter to his daughter mailed from the border state of Chihuahua, ended:

Goodbye. If you ever hear of my being stood up against a Mexican stone wall and shot to rags, please know that I think that a pretty good way to depart this life.

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*The Letters of Alfred Robinson to the de la Guerra Family of Santa Barbara, 1834-1873.* Translated and annotated by Maynard Geiger, O.F.M. (Los Angeles: Zamorano Club, 1972. 67 pp. Illustrations. \$10.00.)

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Reviewed by JOHN BERNARD MCGLOIN, S.J., professor of history at the University of San Francisco.

THIS SLIM VOLUME of about seventy pages represents a rewarding addition to the already well-known phase of Californiana represented by the names, respectively, of Alfred Robinson and various members of the de la Guerra family. Meticulously translated and annotated in the usual thorough manner which all have come to expect of the Franciscan scholar, Father Maynard Geiger of Santa Barbara, the letters here presented give the reader another side of Alfred Robinson. Famous for his *Life in California* which was first published in New York in 1846, this "Anglo-American merchant" (his own description) was Boston-born but made his way to California as early as 1829. It was not long before he became acquainted with members of the well-known, respected, and influential de la Guerra family of Santa Barbara and, in 1834, he asked the paterfamilias, Don José Antonio de la Guerra y Noriega, for the hand of his beautiful daughter Anita. Robinson was successful in his petition and thus came about the marriage that spanned the American continent from Boston to Santa Barbara.

Robinson's *Life in California* is replete with details of California missions, merchants, Indians, and customs of the country, which is why it has always been highly regarded by its

readers. His letters on commercial matters have been edited by Adele Ogden as "Business Letters of Alfred Robinson" in the *California Historical Quarterly* (23:301-34). When one now adds the personalia present in these other letters, one must agree with their editor that "one should be able to obtain a well-rounded view of Robinson's total personality, interests, objectives and his life's contributions." That is precisely why the editing of these same letters was such a meritorious idea.

Despite the fact that Robinson was not satisfied with the education received by his son and nephews at an eastern Jesuit school, probably St. Joseph's College in Philadelphia ("I took the poor youngsters from a school where they taught deception and lies. Never again will I permit a son of mine to be under the care of a Jesuit"), Alfred Robinson appears, here as elsewhere, as a solid citizen! Congratulations to the Zamorano Club, as well as to Father Geiger, for giving us this interesting volume.

*A Description of The Kingdom of New Spain By Sr. Dn. Pedro Alonso O'Crouley: 1774.* Translated and edited by Seán Galvin. (San Francisco: John Howell—Books, 1972. xix, 148 pp. Index. Illustrations. Folding pocket map. \$10.00.)

*Reviewed by W. MICHAEL MATHES, associate professor of history at the University of San Francisco.*

FOR SEVERAL YEARS the combination of Warren Howell, Lawton Kennedy, and John Galvin has resulted in the publication of important and beautiful books. With the addition of Mr. Galvin's son, Seán, to this group, yet another valuable and interesting publication has been contributed to the field of Mexican and California history.

Although known to many researchers in Madrid's Biblioteca Nacional as MS 4532 (Paz, 521), the "Idea Compendiosa del Reyno de Nueva España of Pedro Alonso O'Crouley" has remained unpublished until now. O'Crouley, the Cádiz-born son of an Irish refugee from British anti-Catholicism, was a typical product of the Age of Enlightenment. Interested in virtually all aspects of culture, he was well known as an antiquarian and collector, as well as an active member of contemporary academic societies. During his sojourn in New Spain from 1765 to 1773, the dynamic era of reforms set forth by José de Gálvez, O'Crouley consulted the histories of the viceroyalty and, together with his personal observations, prepared a 175-page manuscript with thirty-one illustrations and maps (of these only twenty-eight are extant) relative to the history, geography, ethnology, flora, and fauna of New Spain.

Chapters on antiquities, the conquest, population, race mixture (*castas*), flora, and fauna precede descriptions of the diocesan areas of Mexico, Puebla, Valladolid (Morelia), Oaxaca, Guadalajara, and Durango, and the commercial cities of Acapulco, Veracruz, and Jalapa. Writing in an era of expansion of the frontiers of New Spain, O'Crouley gives particular detail to his descriptions of the presidios of Los Adaes and El Paso del Norte, as well as to the missions and settlements of Nayarit, Sonora, Sinaloa, Pimería Alta, and New Mexico.

The chapters dealing with California reflect O'Crouley's secondhand information about the area, for, curiously, despite the expansion to Alta California during the period in which he wrote, no mention is made of San Blas, the Sacred Expedition, or the Serra missions. Rather, the material presented on California relates to the Baja Peninsula. It consists of a condensation of the diary of Father Fernando Consag, S.J., on his voyage in the Gulf of California in 1746 and an extensive description of Jesuit mission areas, extrapolated in the main from Venegas, which contains several gross errors, such as the statement that Jesuit evangelization was begun by Father Jacinto Cortes in 1642 at San José during the apocryphal voyage of Luis Cestinde Cañas to the area.

The final chapters of the *Description* deal with the miraculous apparition of Our Lady of Guadalupe, curiosities and unusual phenomena, the condition of Indians, population and location charts of principal cities and towns, short sketches of each of the viceroys and archbishops of New Spain, and a list of Indian groups by diocese. Of particular interest and beauty are O'Crouley's illustrations, many in full color, depicting Indian costume, animals and plants, antiquities, town plans, and racial castes.

The editor has provided an introduction to the work, a portrait of O'Crouley, a modern map of Mexico, a glossary of terms, a genealogy of the author, a general brief bibliography, an analytical index, and a separate color reproduction of the Alzate y Ramírez map of 1768. The translation is very clear and readable, but the general reader might wish for more extensive annotation. The book is beautifully designed, printed, and illustrated, and, thanks to Mr. Galvin, it is offered at a price which places it well within reach of even the most impoverished bookman. This volume should be in the library of all collectors of Mexicana, Californiana, and fine books.

*Lost America: From the Mississippi to the Pacific.* Edited by Constance M. Greiff, with a foreword by James Biddle. (Princeton: Pyne Press, 1972. 243 pp. Index. Illustrations. \$17.95.)

*Reviewed by* JOSEPH A. BAIRD, JR., *author of several books on architecture including* Time's Wondrous Changes.

DESTROYED AMERICAN ARCHITECTURE west of the Mississippi is the subject of this second of a two-volume study; the first volume covered once-extant buildings in the region from the Atlantic to the Mississippi. James Biddle, president of the National Trust for Historic Preservations—one of the leading organizations dedicated to alerting an informed public of imminent danger of loss and to preserving the best of America's architectural heritage—has provided a short foreword. It delineates several of the problems associated with preservation of building in the western United States, with an especially pertinent note that the majority of such building is from the mid-nineteenth century and later, in contrast to the wider historic spectrum of the eastern seaboard.

The book itself is a handsome pictorial survey of destruction, casual and wanton. It is divided into chapters according to building use; unfortunately, the dated journalistic and alliterative "catchiness" of the chapter headings—"Hearth and Homestead," "Mills, Mines and Merchants," "Drama and Diversion"—gives a false air of cuteness to the whole plan. The choice of illustrations is excellent, the reproduction quality only average, but, in fairness, some of the material is from photographs of less than perfect technical character. (Dramatic photographs of the destruction by explosives of the central section of Atlantic City's Hotel Traymore are geographically inappropriate but dramatically telling.)

While *Lost America* reads easily, being essentially a carefully compiled mosaic of pictures with captions, it is difficult to determine its intended audience. It is not quite the cocktail-table conversation piece of week-end preservationists, but neither is it a model of historical accuracy or architectural clarity. The principal failing of all such works is that the persons who write them (or "edit" them, in this case, which is essentially the same thing) are not trained professionals. Mrs. Greiff needs more basic courses in the history of architecture to help obviate technical descriptions that are at best misleading, or at worst false. For instance, a standard later-eighteenth and nineteenth century door with side-lights and glazed transom is referred to as a "three-part Venetian door," although it has no connection to the so-called Venetian or Palladian motif; in the same paragraph she calls attention to a "lunette" in the gable, when it is a circular window, not one of half-moon shape. Fastidious students will shudder at the casual assortment of terms on certain pages, and surely the phrase "free-wheeling" is intended rather than "free-willing" in one caption. To call the Beauvais House "late Greek Revival" is stretching that stylistic term considerably. From the historic viewpoint, the photograph of the old Barbary Coast in San Francisco is post- rather than pre-earthquake and 1906 fire; drawings at the California Historical Society conclusively disprove the assertion that James C. Flood's house, Linden Towers, was produced "serially."

One of my personal objections to this book is that it fails to acknowledge the unappetizing gaucherie of certain nineteenth-century American architectural concoctions—witness several illustrations of buildings which may be called "large," but certainly not "well designed." While all devotees of the Victorian admit its fervor and energy, truth about design must be



acknowledged; some of these buildings deserved destruction. It is hard enough to save the best work of America's past, without falsely equating old with good.

In all, Mrs. Greiff's book is a pleasant introduction to a complex subject suited for a relatively limited audience of amateurs. It would have been immeasurably improved, and could so be improved in a later edition, by more exact "editing" and rechecking of facts. (Idwal Jones would certainly be surprised to hear his *Ark of Empire* described as a "novel.")

*Temalpakh: Cahuilla Indian Knowledge and Usage of Plants.* By Lowell John Bean and Katherine Siva Saubel. (Banning, California: Malki Museum Press, 1972. x, 225 pp. Illustrations.)

Reviewed by THOMAS R. HESTER, assistant professor of anthropology, University of Texas, San Antonio.

IN AN EARLIER ISSUE of this journal (Fall, 1972), I reviewed Lowell Bean's *Mukat's People* (Berkeley: University of California Press, 1972), an excellent anthropological study of the Cahuilla Indians of Southern California. Bean has now produced another valuable contribution to our knowledge of Cahuilla culture, published in an attractive volume by Malki Museum Press, Morongo Indian Reservation, Banning, California. In this latest effort, Bean has been assisted by Katherine Siva Saubel, a member of the tribal council of Los Coyotes Reservation and a widely-known authority on the Cahuilla. The book is entitled *Temalpakh* ("from the earth") and represents the culmination of ten years of ethnobotanical research among the Cahuilla peoples. It is, in some respects, a sequel to a classic study of Cahuilla ethnobotany authored by David Prescott Barrows in 1900. In Barrows' monograph, *The Ethno-botany of the Coahuilla Indians of Southern California* (Chicago: University of Chicago Press, 1900), data regarding about 100 plants and their uses are presented; in *Temalpakh*, Bean and Saubel more than double the number of documented plant species.

The new study is prefaced by a succinct statement of the natural environment of the Cahuilla territory, and also included are brief reviews of Cahuilla ecology and subsistence patterns, subjects treated in more detail in *Mukat's People*. The bulk of the book, 127 pages of text, consists of an annotated list of plants used by the Cahuilla. Plant species, the common and Cahuilla names, and data on plant distribution and seasonal availability are provided; the importance of the plant in Cahuilla subsistence, medical practices, ritual, manufacturing (such as basket-making), and other activities is also discussed. Minor plants are treated in short paragraphs, while plants of more significance to the Cahuilla are covered in much greater detail, often amounting to several pages. The latter species include *Agave*, mesquite, oak, fan palm, yucca, *Arctostaphylos adans* (better known as manzanita), pine, and *Datura* (jimsonweed, a widely-used hallucinogenic plant). The technical descriptions are supplemented by thirty-one pages of excellent photographic illustrations, which not only provide useful ethnobotanical information, but data on Cahuilla material culture as well. One topic of interest is the process of preparing the heart of the *Agave* for food: the techniques of removing the heart from the plant and baking it in a roasting pit are described in the text and illustrated in a series of photographs. The prepared stone-lined pits should be recognizable in the archaeological record if they have any antiquity in the area (cf. J. W. Greer, "Midden Circles Versus Mescal Pits," in *American Antiquity*, Vol. 32, pp. 108-109, [1967]).

At the conclusion of the book, a brief section deals with unidentified plants, primarily plants within the known Cahuilla taxonomy, but which could not be specifically linked to botanical specimens in the field. Finally, a paper dealing with aboriginal agriculture among the Cahuilla (co-authored by H. Lawton and Bean) is reprinted from *The Indian Historian*, Vol. 1, no. 5 (1968).

*Temalpakh* will be of interest to students in widely ranging scientific disciplines—anthropology, ecology, ethnobotany, to name a few—focusing on California and the American Southwest. Anthropologically-oriented archaeologists should find the wealth of data compiled here a very useful resource for planning research in the Cahuilla and Southern California area.

*To Kill a Child's Spirit: The Tragedy of School Segregation in Los Angeles.* By John Caughey. Foreword by Ramsey Clark. (Itasca, Illinois: F. E. Peacock Publishers, 1973. xvii, 255 pp. Illustrations. \$4.95.)

*Reviewed by* LILLIAN B. RUBIN, *professor of sociology at The Wright Institute, Berkeley.*

*To Kill a Child's Spirit* reads like a documentary—a rich, blow-by-blow account of the sell-out of the American promise of equality. With a historian's meticulous care, John Caughey traces the events of the last decade in the struggle to desegregate the schools of Los Angeles, starting in 1962 when spokespersons for several community organizations confronted the Los Angeles Board of Education with the fact that they were operating a system of segregated schools, and ending in 1972 with no change in that central fact of school life in the nation's third largest city. The author skillfully guides the reader through the maze of allegations and denials leading up to a dramatic seventy-day trial in which the school authorities refused even to stipulate to the fundamental principle enunciated by the United States Supreme Court in 1954, that "separate educational facilities are inherently unequal." He presents the court's decision in favor of the plaintiffs and exposes the school board's near-hysterical decision to appeal the court order even before they saw its final formulation.

As the school board and administration's tortuous misrepresentations and evasions are laid bare, any open-minded reader must be drawn ineluctably to agree with Caughey's charge that:

In our schools, where segregation matches and then exceeds residential segregation, the buck must stop on the great curved desk of the board of education and the superintendent. They are the segregators.

Perhaps it is just a sociologist's wish that Caughey had not been content with laying blame, but had analyzed who those "segregators" are and what interests they represent. As the book is written, a reader unfamiliar with school board politics in Los Angeles might assume that these men and women are conservative white backslashers. The reality that Caughey does not address is that eight of the thirteen people who have served on the board since 1962 have moderate-to-liberal credentials and at least six of them—Hardy, Richardson, Tinglof, Jones, Nava, Docter—were actively supported by the city's liberal community which has a long record of speaking for integration. Thus, from 1962 onward, when three liberals and two moderates were elected to a board of seven, the four votes needed to order the integration of the Los Angeles schools either have been in hand or within grasp. As late as 1967, there were four liberal votes on the board—Hardy, Richardson, Jones, and Nava—and still there was no action on desegregating the schools.

We are left with the observation that when we look at the record of school desegregation, the "good guys," with all their integrationist rhetoric, are indistinguishable from the "bad guys," with all their racist epithets. We are also left to wonder why. I suspect that the findings from my study of a similar struggle in Richmond, California (See *Busing & Backlash*, University of California Press, 1972) apply to Los Angeles as well—that is, the liberal board members and the constituency they represent are deeply ambivalent about integrating the schools. Philosophically they understand that equality of opportunity is not possible if black children attend segregated schools. So, generally, they can be counted on to *say* the right thing. But at the same time, they share the widespread fear that integrated classrooms will dilute the quality of their children's education. So, generally, they cannot be counted on to *do* the right thing. For when confronted with the possibility that they might have to give up or share some of their privilege, these liberals dig in their heels and resist just as tenaciously as the most ardent racist backlasher.

Despite the fact that he does not take the analysis as far as I would wish, John Caughey has written a valuable, carefully documented history of a decade of struggle around segregated schooling in Los Angeles. In doing so, he has also provided us with a damning portrait of

white resistance to integration—a resistance, I would add, that is felt as keenly by the liberals as by the conservatives, if we judge by the dismal record. Little wonder that America's minorities are so deeply disillusioned with liberal promises.

*Unwritten History: Life Among the Modocs.* By Joaquin Miller. Introduction by A. H. Rosenus. (Eugene, Ore.: Orion Press, 1972. 400 pp. \$2.95.)

Review by RICHARD N. ELLIS, associate professor of history at the University of New Mexico, Albuquerque.

JOAQUIN MILLER IS WELL KNOWN TO CALIFORNIANS and to aficionados of early forms of literature in the West, but although he was one of the more celebrated American writers of the late-nineteenth century, he is less well known to present students of American literature. Despite his productivity he is a minor figure in the development of American literature, and his style has little appeal to modern readers.

*Unwritten History* was first published in 1873 under a different title and appeared again in the following year under the present title. It appeared several other times in subsequent years and was reprinted most recently in 1968. It is now available in a paperback edition with an introduction by A. H. Rosemus. Although by implication it is autobiographical, the book can only be considered fiction. The story is that of a young boy in the gold camps of Northern California who lives with an heroic figure called the Prince, a man who resembles William Walker, the filibusterer. After many adventurous experiences the boy befriended the Indians of the Mount Shasta region and lived with them. As a defender of the Indians, he sought to protect them from white encroachment and proposed the creation of an Indian republic in that area. He also encouraged Indian resistance and occasionally led Indian warriors and purchased arms and ammunition for their defense.

Joaquin Miller had a well developed imagination and had the ability to convert tales into facts, at least in his own mind. He claimed many things in his books that have since been proven untrue, and *Unwritten History* is no exception. Moreover, Miller selected the subtitle, *Life Among the Modocs*, because of the recent Modoc War and not because he was writing about that tribe. Unfortunately, the introduction does not effectively deal with the subject of the book's reliability. Therefore, those interested in Miller and his work should look at Martin S. Peterson, *Joaquin Miller: Literary Frontiersman* and M. M. Marberry, *Splendid Poseur: Joaquin Miller—American Poet* as well as Miller's diary for the period of the 1850's which was edited by John S. Richards as *Joaquin Miller: His California Diary*. . . .



## California Check List

PETER EVANS, *CHS librarian*

THE PURPOSE OF THIS LIST is to provide our readers with an on-going bibliography of recently published or soon-to-be published Californiana. Major publishing firms' nationally-distributed products, small local history groups' limited editions, and individuals' efforts all are welcome. We ask only that the books or booklets concern the California scene and be recent publications (1972 or later, although some reprints will be accepted as space permits and significance demands).

We particularly desire to list publications which would not be well advertised elsewhere, works more likely to be publicized by word-of-mouth than by an organized publicity campaign. Hence, we are dependent to a considerable degree on the response of our readers. If you know of a recent unlisted publication on California, please notify the compiler of this check list. Be sure to include the following basic bibliographic data: author, title, location and name of publisher, date of publication, number of pages, and price. If the item is a limited edition published by an individual or small group, be sure to give the address where the book can be purchased and any special ordering instructions. Send this information to Peter A. Evans, Librarian, California Historical Society, 2090 Jackson St., San Francisco, CA 94109. This listing in the *Quarterly* is, of course, free.

- Abbott, Allan L. *Gem Trails in California*. Anaheim: Abbott & Abbott. 1972.
- Baird, Joseph A., Jr. *The West Remembered: Artists and Images 1837-1973*. San Francisco: California Historical Society. 1973. (\$3.00)
- Barbour, Michael G., et al. *Coastal Ecology: Bodega Head*. Berkeley: University of California Press. November, 1973. (\$12.95)
- Bear, Dorothy, and Beth Stebbins. *Mendocino Book One*. Mendocino: Mendocino Historical Research Center. 1973.—Box 922, Mendocino, CA 95460 (\$6.50 incl. tax and postage)
- Beck, David. *Ski Tours In California*. Berkeley: Wilderness Press. 1972. (\$4.95)
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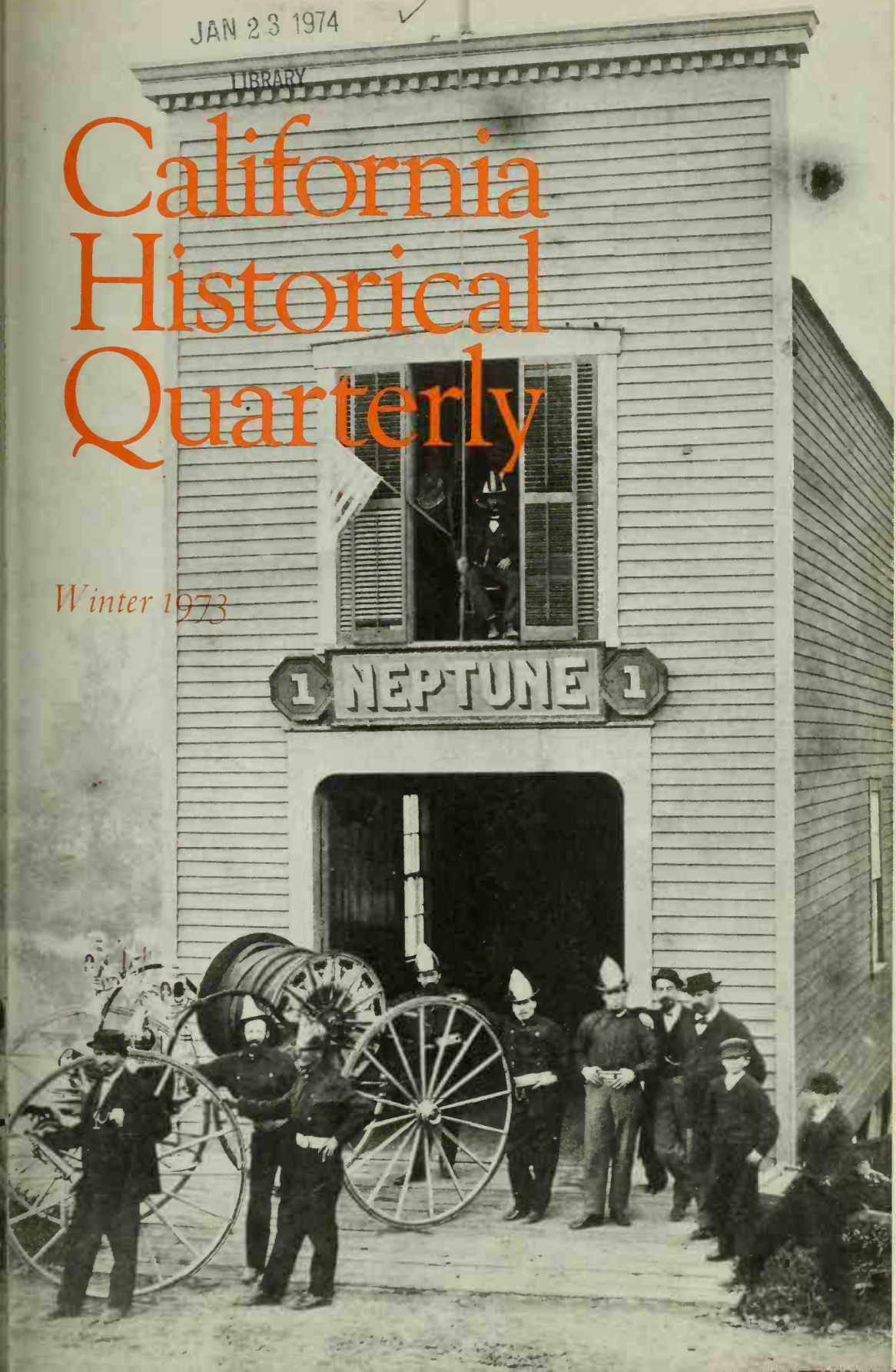
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COVER: In 1856 the Neptune Hose Company joined several other volunteer Sacramento fire-fighting units which had been formed since as early as 1850. (Roger Olmsted Collection.) This company portrait by an unknown photographer is one of over 300 illustrations in a new society publication, *Sacramento, An Illustrated History: 1839 to 1874*. With a text by Thor Severson, the handsome volume relates the life of the City of the Plain from Sutter's Fort through the wild days of the Gold Rush and into its emergence as a major city and the capital of California.

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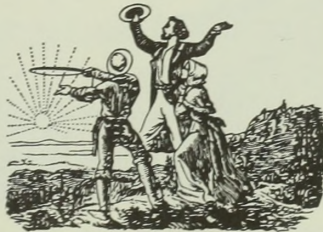
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*Sacramento, the "Albany of California," burned to the ground in 1852, despite the valiant efforts of her volunteer fire companies. Lithograph from *Sacramento, An Illustrated History*.*



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## The Politics of Reclamation: California, the Federal Government, and the Origins of the Boulder Canyon Act— A Second Look

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NORRIS HUNDLEY

*Professor of history at the University of California, Los Angeles,  
and editor of the Pacific Historical Review*

FEW MEASURES HAVE HAD A GREATER IMPACT on California and the West than the Boulder Canyon Project Act of 1928. Among other things, it tamed the Colorado River, the life-blood for 244,000 square miles of United States and Mexican land, by authorizing what was then the world's largest dam; it approved construction of the All-American Canal which, when completed, removed the water supply of California's Imperial Valley from Mexico and precipitated the controversial Mexican-American water treaty of 1944; and it complicated an already bitter dispute between Arizona and California over the waters of the Colorado, a dispute which remained unsettled until action by the U. S. Supreme Court in 1963. In addition, it forced, as the price of its enactment, the negotiation of the Colorado River Compact of 1922, the first attempt by a group of states to apportion the waters of an interstate stream among themselves for irrigation and other consumptive uses. The Boulder Canyon Project Act also paved the way for aqueducts and the generation of hydroelectric power which made possible much of the West's phenomenal growth in the twentieth-century—growth which is today being lamented by a large segment of the public which has discovered that pouring water into a desert area often results in congestion, smog, and a polluted water supply rather than the good life.

Because of its significance, the Boulder Canyon Act has naturally attracted

NOTE: Research for this article was made possible by grants from the Sourriseau Academy of California State University, San Jose, and the University of California Water Resources Center.

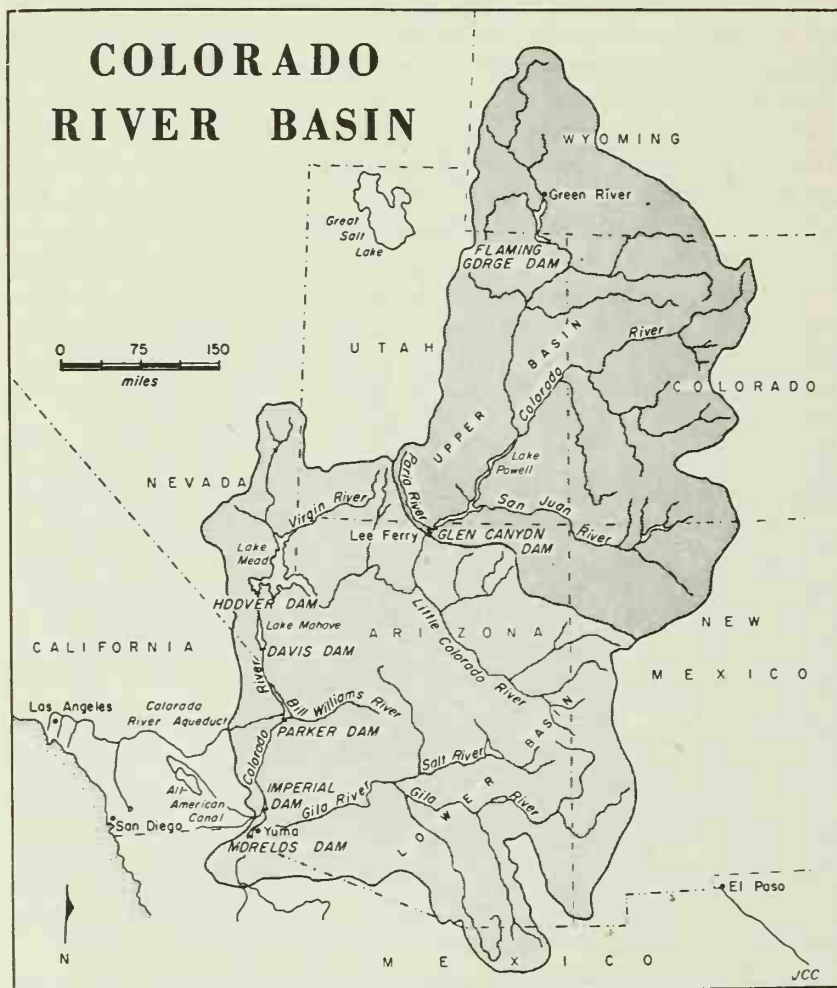
the attention of historians. Many of them have dealt at least cursorily with its origins, especially developments prior to 1920 when California's William Kettner introduced the first bill calling for the construction of storage works on the Colorado and an All-American Canal—two of the later Boulder Canyon Act's principal features. Though Kettner's measure failed to win approval, it marked the most important step up to that time in the events leading to the Boulder Canyon Project, for it directly precipitated the Fall-Davis report, which in turn became the basis of the various Swing-Johnson, or Boulder Canyon, bills.<sup>1</sup>

Though the events which culminated in Kettner's action have not gone unnoticed, neither have they been carefully described and assessed. None of the available literature has drawn on important materials housed in the National Archives or in a number of other public and private depositories, including the M. H. Sherman Foundation and the archives of the Imperial Irrigation District. Indeed, most of the accounts are undocumented, while others, like Paul Kleinsorge's *Boulder Canyon Project*, rely only on printed materials, or, like Beverley Moeller's superb *Phil Swing and Boulder Dam*, concentrate primarily on the activities of a single man or group. Moreover, none of the accounts provides a careful discussion of the strategies and major shifts in policy which occurred during the debates on the Kettner bill.<sup>2</sup> Then, too, writers disagree on the developments which prompted Kettner's action. For example, commentators like Albert Williams and Remi Nadeau emphasize the activities of leaders from California's Imperial Valley. Those leaders, insist these authors, wanted an All-American Canal, and, to achieve it, they launched a crusade which, like Topsy, just grew until it spawned the enormous program eventually authorized by Congress. "Perhaps the oldest ancestor" of the Boulder Canyon program, states Williams in his *The Water and the Power*, "was the long irritation suffered by the residents of the Imperial Valley by reason of the fact that their main canal had to traverse Mexican territory." To eliminate their problem, notes Williams, they "tied the whole matter into a neat parcel, proposing a dam at Boulder" and an All-American Canal for the valley. Seemingly taking a similar position is Remi Nadeau. "Out of the Imperial Valley's project for the All-American Canal . . .," writes Nadeau, "had grown the whole Boulder Canyon Project. It was . . . 'the tail that wagged the dog.'" Elsewhere in his narrative, however, Nadeau implies that the real origins of the project should be sought elsewhere. He cryptically notes the long-time interest of the Reclamation Service in a Boulder Canyon dam and leaves the reader wondering whether governmental officials should not be given credit for playing the critical role.<sup>3</sup>

Less equivocal in their judgments are such commentators as David Woodbury, Charles A. Bissell, and Frank E. Weymouth. Woodbury, author of the undocumented and not altogether reliable *Colorado Conquest*, strongly emphasizes the role of federal officials, especially Arthur Powell Davis, director of the Reclamation Service. It was Davis, writes Woodbury, who in 1904 "conceived a plan for developing the Colorado River" and later "forced" the Imperial Valley "to buy its way" into the Boulder Canyon project. Though not quite so strong in their statements, Bissell and Weymouth, authors of a brief sketch of Davis's life, also indicate that the Reclamation chief played the key role. Still other



Arthur Powell Davis, nephew of the famous explorer John Wesley Powell and a disciple of Henry George, directed the federal Reclamation Service from 1914 to 1923. For over two decades he doggedly argued for a comprehensive program to tame, develop, and store the tremendous, uncontrolled resource of the Southwest—The Colorado River. The map shows the Colorado basin and the federal government's projects on the river.



writers adopt a more cautious approach, either dealing tangentially—and unclearly—with the question or ignoring it altogether.<sup>4</sup>

The confusion suggests that a closer analysis of the events prior to 1920 is in order. Such an assessment, drawing upon heretofore neglected materials, makes it possible to describe accurately Davis's role, to round out and correct earlier accounts of the critical developments in the Imperial Valley, to examine in detail the important shifts in position which occurred during the debates on the Kettner bill, and, in general, to reappraise the Boulder Canyon Act's origins.

Although not the first to argue for a comprehensive program of development for the Colorado River, Arthur Powell Davis, who joined the Reclamation Service shortly after its creation in 1902 and who served as its director between 1914 and 1923, became one of the most effective spokesmen for the idea. In part, his importance can be attributed to timing. In the late nineteenth century when his uncle, the famous explorer and second director of the U. S. Geological Survey, John Wesley Powell, had urged development of the West's water-courses, Powell had encountered major obstacles—the need for further scientific surveys, shortage of funds, and differences with congressional leaders over how to proceed. But spurred by his belief that the West's water supply, no matter how carefully managed, could irrigate only a small portion of the land area, Powell had persuaded the federal government to underwrite the discovery of reservoir sites and lands most suitable for irrigation. As early as 1878, in his famous "Report on the Lands of the Arid Region of the United States," he had predicted that reservoirs would some day make it possible to divert much of the Colorado's surplus water to Southern California's fertile valleys. Though he had great vision, Powell does not seem to have envisaged a high dam in the Boulder Canyon area, the dam which in his nephew's later plans became essential to the taming of the Colorado.<sup>5</sup>

Powell's ideas were shared by others, including the popular western journalist Richard J. Hinton, who urged massive federal involvement in the development of the Colorado River. "The disposition of its waters," declared Hinton in 1878, "is a subject over which the General Government should assume entire control, devising some wise and comprehensive plan for irrigation works."<sup>6</sup> At that time, however, most westerners preferred that reclamation be under state control. But during the next two decades, the inadequacy of such a policy became apparent to careful observers. The enormous expense of river development, the interstate character of most streams, and the federal government's position as the largest landowner in the arid West all pointed to the need for federal involvement. By the end of the century, many state leaders agreed with famed army engineer Hiram M. Chittenden that "a comprehensive reservoir system in the arid regions of the United States is absolutely essential" and that "it is not possible to secure the best development of such a system except through the agency of the General Government."<sup>7</sup>

As Chittenden was making his appeal, hundreds of others were agitating for the same goal through their congressmen and through powerful irrigation lobbies. As their numbers mounted so did their pressure, until Congress finally re-

sponded with the Reclamation Act of 1902. Ironically, that measure, which embodied many of Powell's hopes for a more rational approach to western development, became law as the old explorer lay dying. Though the act was long overdue in the eyes of many, it did represent a major advance by establishing a special agency, the Reclamation Service, and directing it to construct irrigation projects with the proceeds from the sale of public lands in the arid states.<sup>8</sup> When Arthur Powell Davis joined the newly-created Reclamation Service, he had a ready-made vehicle for pursuing his uncle's—and now his own—goal.

Besides his crusading spirit, Davis, born in 1861 in Decatur, Illinois, brought to his job considerable knowledge about the workings of government. He had learned much about congressional maneuvering from his father, John Davis, a Kansas farmer, newspaperman, and populist, who had served two terms in the House of Representatives. He had learned even more from his uncle whom he had accompanied on several trips West and whose plans for western development he had faithfully supported. But Davis also brought technical skills gained during his years, first, at Kansas State Normal School, and, later, at Columbian College (now George Washington University) from which he earned a degree in civil engineering in 1888. Even before completing his schooling he had embarked on a career with the government by accepting his uncle's offer in 1882 of a position as assistant topographer with the Geological Survey. This job brought him into contact with the arid mesas and canyonlands of Arizona, New Mexico, and California. It also fed his growing interest in the Colorado, a river that he saw for the first time in the summer of 1883 while standing on the rim of the Grand Canyon.<sup>9</sup>

Opportunities for Davis to increase still further his knowledge of the river came in 1894, when he assumed responsibility for measuring the flow of streams throughout the West, and in 1896, when he advanced to hydrographer in charge of measuring all rivers canvassed by the Geological Survey.<sup>10</sup> His talents made a deep impression on his superiors, and, in 1902, they appointed him assistant chief engineer in the newly-created Reclamation Service.

Davis came to his job, too, with more than technical skills and familiarity with the West. He also arrived as a dedicated advocate of the "gospel of Henry George" whose single-tax scheme revealed conclusively to him "that the rights of the individual and the rights of property are not in conflict." For Davis as well as for George, this conclusion rested on a special understanding of the nature of property—an understanding which suggested a remedy for human misery. "A slight change in our taxation method is all that is required," he wrote. "Exempt from taxation every article of wealth owing its existence to human effort; retain nature's store for the benefit of all by taxing society created values and land to its full rental value."<sup>11</sup>

Like many other idealists who were drifting into the progressive movement, Davis abhorred monopoly, romanticized the small farmer, worshipped efficiency, and viewed the federal government as a major instrument for social and political reform. Though he labored in vain for Henry George's program, he never faltered in his belief that land was a major key to understanding and correcting society's ills. To counter the demoralizing effects of land monopoly, the end of the frontier, and the urbanization of American society, he dedicated his profes-



sional life to reclaiming the desert wastes so that more farmers could be put on the soil and the nation's moral fiber thereby strengthened. While he was a captive of what historians have called the "agrarian myth" and a firm advocate of local control, he also recognized the necessity of central planning and federal funding if the enormous problems posed by the West's rivers were to be overcome. And no river attracted his attention more than the Colorado. "I . . . considered problems in all of the Western States," he later recalled, "but there [was] . . . none which . . . excited my interest and imagination and ambition so much as the development of the Colorado River basin."<sup>12</sup> Other western rivers, like the Columbia, might possess a larger volume of water, but none, he believed, was accessible to more irrigable acreage—and, hence, more future farms—than the Colorado.

As early as the spring of 1902, shortly before Davis joined the Reclamation Service, he outlined for fellow engineers a general plan for "the gradual comprehensive development of the Colorado River by a series of large storage reservoirs." By the fall he was ready to suggest the location of dam sites. "It is my present idea," he told J. B. Lippincott, a noted California engineer and the head of federal reclamation activities in the Southwest, "that the first construction should be a dam at the gorge below the mouth of Bill Williams' Fork, as high as appears practicable from the local conditions." After that, dams should then be built at Bulls Head, just above the first reservoir, and in Black Canyon, some twenty miles below Boulder Canyon.<sup>13</sup> Actually neither Davis nor anyone else had accumulated enough technical data to justify immediate construction at the locations he had mentioned. But he knew that a search for sites in the West was being planned and did not want any lower Colorado sites to be overlooked.

The reconnaissance of the lower river, completed in 1902, proved most encouraging to Davis and others interested in developing the Colorado. Though much field work remained to be done, the report revealed considerable irrigable acreage near the stream and the existence of numerous reservoir sites from which water could be diverged to surrounding mesas. But "the best dam site," noted Lippincott, was in a "narrow box canyon known as Boulder Canyon."<sup>14</sup>

Though the reconnaissance dramatized the federal government's interest in the Boulder Canyon area, other individuals had mixed feelings about the storage potential of northeastern Arizona's deep canyons. In the 1890's, Nathan Oakes Murphy, who had served twice as Arizona's territorial governor, was ridiculed by his Democratic opponents for his "great chimerical schemes to dam the Colorado and irrigate . . . land between the grand Canyon and Phenix (sic) and between Phenix and the border line" with Mexico.<sup>15</sup> Ironically, one of those poking fun at Murphy was Anson H. Smith, editor of the Kingman *Mohave County Miner* and eventually a leading proponent of damming the Colorado. By late 1894 he, too, was advocating storage reservoirs on the nearby river and urging his readers "to grasp the good things laying at our very threshold." This storage, he predicted, would provide cheap electricity for the state's numerous mines and irrigation water for the fertile valleys, thus making possible a "veritable Garden of Eden."<sup>16</sup>

While Smith and the others who had shared his dream continued to agitate on Arizona's behalf, the federal survey of 1902 significantly altered opinions

by arousing the Reclamation Service to the value of the Boulder Canyon area. The possibility of dams on the lower river proved exciting, but the cost of such an undertaking and the need for additional surveys prevented early action. Even Lippincott dragged his feet, downplaying on one occasion the need for storage, while on another arguing that dam construction should be confined to the upper river. "Storage on the Lower Colorado is impossible," he declared in 1904, "because of unsatisfactory bed rock conditions and the high percentage of silt." In disagreeing, Davis joined with two colleagues and prepared a rebuttal statement which they sent to Frederick H. Newell, director of the Reclamation Service. If dams were limited to the known sites on the upper river, they argued, then the flood waters of more than a dozen tributaries accounting for half or more of the river's runoff would be lost. They believed good sites were available on the lower river and sought permission from Newell to inaugurate exploratory studies, especially in the Black Canyon area, that would prove them correct.<sup>17</sup>

While Newell was sympathetic, he lacked funds and had to contend with public impatience over long-term projects. Reluctantly he vetoed the request. "I appreciate that we should guard the interests of the future," he explained, but "at the same time we must show to Congress as few of these general expenditures as possible and not have a great number of petty charges made on account of future work."<sup>18</sup>

Despite the setback, Davis's interest in a comprehensive program of development continued and increased markedly in 1907 when President Theodore Roosevelt, alarmed by a major flood on the river, urged Congress "to enter upon a broad, comprehensive scheme of development for all the irrigable land upon [the] Colorado River."<sup>19</sup> Nothing was done, however. Lack of funds, insufficient public pressure, and the passing of the flood threat caused Congress's interest to wane and postponed further surveys on the lower river. Still, Davis managed to retain his enthusiasm, and, as he advanced in rank within the Reclamation Service, he never lost sight of his goal.

By 1913 when Davis was serving on the Reclamation Commission (the panel then directing the Reclamation Service), the development of the Colorado had become almost an obsession with him. His position within the service's hierarchy encouraged him to approach his associates on the commission and ask for authority to initiate "a systematic investigation of the Colorado River." His colleagues, however, did not think the time was right for such an undertaking, and they rejected his request. He then appealed to newly-appointed Secretary of the Interior Franklin Lane, a man who had earlier claimed to be a strong advocate of federal conservation and reclamation programs. Davis decided to test Lane's commitment to western irrigation development, and he was delighted to find that the secretary was as good as his word. In late 1913 Lane released enough funds to inaugurate the long-sought "investigation of the Colorado River basin, with a view to making plans for its full development."<sup>20</sup> That investigation was a lengthy undertaking, often threatened by inadequate funding, but Davis was able to guide its efforts personally after 1914 when he became director of the Reclamation Service. In his new position he was also better able to seek out and stimulate public and private support for his ideas. His warmest advocates turned

out to be Californians, especially those living in a southeastern part of the state known as the Imperial Valley.

Imperial Valley farmers at first showed little interest in a comprehensive plan of development like that advocated by Davis. What they sought was a special irrigation canal, an "All-American Canal," as they called it, which would give them greater control over their water supply and assure the future growth of their area. Nevertheless, the peculiar nature of their problem and the force of their demands encouraged Davis and eventually resulted in the Kettner bill.

That Californians in the Imperial Valley would be interested in water, and particularly in a special irrigation canal, was almost inevitable. Their homes and farms were located in a most arid region, bordered on the east by the forbidding Sonora Desert and on the north by the desolate Colorado Desert. Rain-fall in the valley is virtually nonexistent, averaging three inches and dropping to as little as a half inch in some years, while temperatures sometimes soar to more than 120° during the summer months. The valley forms part of the Salton Sink, a great basin surrounded by mountains on all sides, except the southeast, which straddles the international border. Running from northwest to southeast the basin is about 100 miles long and 35 miles wide. It forms at its northern, narrow end California's Coachella Valley, while at the southern extremity it becomes Mexico's Mexicali Valley. Sandwiched between are the 600,000 acres of the Imperial Valley.<sup>21</sup>

The river is the valley's life blood and also the source of the area's enormously rich soil. Flowing on a ridge above sea level, the stream, during past ages, had periodically torn through its banks and poured into the lower lying valley, creating a large inland lake of fresh water. A primary cause of these diversions had been the silt picked up by the river as it gouged its way through arid upstream canyons in its relentless march to the sea. In its natural state the Colorado was one of the heaviest carriers of silt in the world, carrying about five times that of the Rio Grande, ten times that of the Nile, and seventeen times that of the Mississippi. As the Colorado neared its delta, its speed decreased, and it dropped much of its silt load, thus causing the channel to rise above the surrounding countryside. In past centuries, the channel or broad bed was often unable to contain the heavy spring runoffs or flash floods of summer. When this occurred, the river ruptured its banks and flowed into the nearby basin until silt deposits again altered its course. By the twentieth century, these periodic floods, the last major one occurring only shortly before Spanish discovery in the mid-sixteenth century, had gradually extended the delta many miles southerly into the Gulf of California and northerly into the United States. The floods had also left behind enormous quantities of rich alluvial soil that was thousands of feet deep in places and which attracted the attention of the earliest visitors.<sup>22</sup>

First to formulate a feasible way to irrigate the valley by gravity canal was Dr. Oliver M. Wozencraft, who conceived the idea in 1849 while passing through the area on his way to the California gold fields. Not until several years later, however, when William P. Blake, a government geologist who had traversed the region in search of a railroad route, publicized the valley's agricultural potential did Wozencraft turn his full energies to a reclamation scheme. Together



with an engineer friend, San Diego County Surveyor Ebenezer Hadley, he devised a plan to irrigate the valley by diverting water through the Alamo, an overflow channel of the Colorado River which ran through Mexico and bypassed the large, shifting sand hills that separated the river from the valley on the American side of the border.<sup>23</sup>

Unfortunately for the success of Wozencraft's scheme, he felt that he had to own the land to be reclaimed. In 1859 he persuaded the California legislature to support his request for a grant of 1600 square miles from the public domain, but Congress, preoccupied by the threat of Civil War, found little time for the proposal. Finally, when it considered the matter in 1862, it rejected Wozencraft's plea. Some House members considered the cession too large and valuable for one man, while others denounced the scheme as foolish. Undaunted, Wozencraft spent the remaining twenty-five years of his life and his entire personal fortune in a vain attempt to persuade Congress to change its mind.<sup>24</sup>

Wozencraft failed, but his dream was largely realized in the accomplishments of Charles R. Rockwood who "rediscovered" the Imperial Valley in 1892 while investigating the possibility of irrigating lands in nearby Sonora. Like Wozencraft, Rockwood believed that the valley could be transformed into a garden, but unlike his predecessor, he felt no need to own the land. He realized that the area was virtually worthless without water, and he drew up plans to introduce and control a water supply. To further his aims, he created in 1896 the California Development Company and traveled to American and European financial centers in search of the necessary capital to underwrite his project.<sup>25</sup>

Depressed economic conditions and poor management nearly scuttled the undertaking before Rockwood enlisted the support of well-known engineer George Chaffey, who was looking for new ventures following completion of his irrigation projects in Australia and the Southern California communities of Etiwanda and Ontario. Though earlier convinced that white men could not live in the harsh climate of the Imperial Valley, Chaffey had changed his mind after his Australian experiences. In 1899 he joined Rockwood, and almost immediately his reputation, expertise, and financial backing attracted national attention to the undertaking. Though money difficulties continued, by 1900 settlers were pouring into the valley in response to the promise of water and the attraction of the area's new name, "Imperial Valley," which Chaffey preferred to "New River Country" or the more forbidding Colorado Desert or Salton Sink, as the area had been known.<sup>26</sup>

Wasting little time, Chaffey tapped the river just north of the border and, following a plan closely paralleling that devised earlier by Wozencraft, fed the water into the Alamo which went around the California sand dunes and through Mexico for fifty miles before turning north again to the United States. On June 21, 1901, the first water reached the valley.<sup>27</sup>

The introduction of water touched off a major land boom. Within eight months 2000 settlers had arrived, the towns of Imperial and Calexico had been laid out, 400 miles of canals and laterals had been built, and more than 100,000 acres were readied for cultivation. Contributing to the phenomenal growth were the mutual water companies created by the settlers to purchase water from the California Development Company and to handle distribution to individual

farmers. The plan worked well. By 1909 the population had mounted to 15,000 and 160,000 acres were under irrigation.<sup>28</sup>

Though the rapid influx of settlers and the ready market which farmers found for their crops pleased valley leaders, other developments caused concern. Especially vexing was the valley's deteriorating relationship with Mexico, a predicament stemming largely from the conditions of the agreements made by Rockwood regarding the project.

To control the diversion route below the border, Rockwood had been compelled to negotiate with Guillermo Andrade who owned the land involved. In their agreement Andrade sold 100,000 acres, but for payment he demanded water as well as money; in fact, he demanded "all water necessary . . . for the irrigation of the other lands" below the border in which he retained an interest—more than 600,000 acres.<sup>29</sup> The price was not so steep as it seemed, however, since the water brought through Mexico could also be used to reclaim 85 per cent of the land which Rockwood and his associates planned to purchase from Andrade. "While our principal object in purchasing this tract of land was to acquire title to the Alamo Channel," noted Rockwood, "we expected, through the increase in value of the land itself, to more than repay the cost of building the entire system."<sup>30</sup> Mexican law complicated Rockwood's scheme, however, since foreigners were forbidden to own land within 100 kilometers of the international border. In 1898 he skirted this difficulty by creating a Mexican corporation—Sociedad de Irrigación y Terrenos de la Baja California—and placing the acreage in the company's name.<sup>31</sup>

News of the agreement and subsequent diversion of water angered the Mexican government which had been unaware of the negotiations between Rockwood and Andrade. In late 1901 the Mexican ambassador lodged a strong protest in Washington, claiming that the diversion might result in "a change in the course or complete exhaustion of the Colorado River," thereby violating his country's navigation rights as guaranteed in the treaties of 1848 and 1858.<sup>32</sup>

The United States, however, was convinced that there was no treaty violation. Water had been diverted in American territory, not Mexican, stated the investigators, and Mexico could not properly claim jurisdiction over citizens within the United States. To hold otherwise would be to surrender national sovereignty. This position had been taken six years earlier by Attorney General Judson Harmon when a similar situation had arisen with Mexico over the waters of the Rio Grande.<sup>33</sup>

Though dissatisfied with the American reply, Mexico did not interfere with Rockwood's operation. It had no interest in using the river for navigation, and its officials realized, reluctantly, that by 1901 the settlement of the Imperial Valley was a *fait accompli*. In fact, to meddle with the area's water supply now, they believed, might lead to the loss of Baja California and a "new mutilation" of Mexico "like that . . . which North Americans have euphemistically called the 'Gadsden Purchase.'"<sup>34</sup> Nevertheless, Mexico was anxious to strengthen its position and, three years later, it found an opportunity to do so.

Ironically, in 1904 the United States government provided the opportunity by refusing to approve Rockwood's diversions from the river. Even though Rockwood and his associates had carefully established their claim under California

law in 1899 when they had filed for 10,000 cubic feet of water per second, they had overlooked the fact that the government of the United States as well as of Mexico considered the Colorado to be a navigable stream.<sup>35</sup> Thus, permission to divert water had to be obtained from the Department of War, but Rockwood had neglected to do so.

So far as most Washington officials were concerned, the river's value for navigation was slight. Nevertheless, navigation, even if largely a fiction, represented a powerful weapon in the federal arsenal, and it could be used to aid the newly-created Reclamation Service in its piecemeal attempt to develop the Colorado. Reclamation officials planned to construct four large reservoirs between Needles and Yuma for reclaiming 90,000 acres along the river, most of it in Arizona's Yuma Valley. To reduce the cost of the reservoirs, they wished to include the Imperial Valley in the project. If this were done, however, the Reclamation Service would have to take over the operations of Rockwood's California Development Company, a move which would put Rockwood and his partners out of business. To strengthen its hand, the Reclamation Service announced that the company's diversions were illegal and then appealed to the Imperial Valley settlers to join the Yuma project.<sup>36</sup>

Panic stricken, Rockwood pleaded with the War Department for the necessary diversion permission. The department refused, claiming that it could not approve projects already completed, though it promised not to interfere so long as the company's operations did not affect the river's navigability. This offered little comfort to Rockwood and his associates who then tried to persuade Congress to declare the river more valuable for irrigation than navigation. Congress, however, declined to come to their rescue. It wanted to avoid disputes with Mexico over the navigation clauses and with the Reclamation Service over its irrigation projects. It also doubted that the California Development Company was capable of sound management.<sup>37</sup>

Blocked in Washington, Rockwood and his allies soon faced a threat from another quarter. The intake of the Imperial Valley canal had silted up during the winter of 1903-1904, depriving the settlers of water for which they had contracted. Bypasses were cut around the headgate, but these, too, silted up and resulted in crop losses and the filing of damage suits totaling a half million dollars.<sup>38</sup> Frustrated now by a combination of obstacles north of the border, the company decided to ask Mexico for permission to divert water below the line.

Mexican officials observed the company's plight with increasing interest. While they had resented the surreptitious manner in which Rockwood initially brought water into the valley, they saw that his problems gave them an opportunity to improve their own position. In May, 1904, they let him cut an intake in their country, but only in exchange for some important considerations. As Andrade had done, they insisted on water, demanding rights to as much as half the water diverted. In addition, they demanded the authority to set water rates for Mexican lands and to determine where the water would be used. They also forbade Rockwood and his associates to sell the concession to any foreign government or to enter into partnership with another country. Moreover, the entire undertaking was made subject to the Mexican judicial system, and any appeal of grievances to a foreign power would terminate the agreement.<sup>39</sup> While the





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*The introduction of water to the Imperial Valley by promoter Charles R. Rockwood (left) in June, 1901, touched off a major land boom. Within eight months, 2000 settlers had arrived, the towns of Imperial and Calexico had been laid out, 400 miles of canals had been excavated, and more than 100,000 acres readied for cultivation. Rockwood's schemes were permanently thwarted when an inadequate headgate and unusually heavy rains in 1905 caused the entire Colorado River to flow through the intake, turning the dry Salton Sink into the Salton Sea. Flood waters inundated Calexico and Mexicali (above) in 1906 and gouged channels 40 to 60 feet deep and 1000 to 1500 feet wide (note the man at left in the picture below) through cultivated fields in the Imperial Valley.*



terms were harsh, company officials believed they had no choice except to agree to them.

At first all seemed to go well. The new heading was constructed, water was delivered in time for the 1904-1905 winter crops, and pressure from federal officials lessened. Since the United States could not own the concession in Mexico, the Reclamation Service dropped its attempt to merge the Imperial Valley with the Yuma Project. Encouraging news also came from the secretary of the interior who recommended that valley settlers be protected in their present water rights.<sup>40</sup> Despite the promise of renewed calm, however, problems arose which, in time, sent valley residents scurrying for help to the same federal government they had earlier sought to escape.

The new difficulties stemmed primarily from the Mexican concession. Valley settlers soon found intolerable the tandem arrangement with Mexico which the concession had fastened on them. Disenchantment began growing shortly after a disastrous flood wreaked havoc in the valley from 1905 to 1907. As with so much else, Rockwood must share major responsibility for the flood and the increased strain in relations with Mexico which it caused.

Because high water had seldom been a threat in previous winters and because his company was in financial straits, Rockwood in 1904 had failed to provide his new Mexican intake with an adequate headgate. Unfortunately for him, 1905 proved to be an unusual year. Flood waters began rising in February, gouging away at the banks surrounding the cut faster than he and his men could fill the breach with pilings and sand bags. Five floods eventually hit during the winter and spring until, by August, 1905, the entire river was pouring into the intake, now a half mile wide at its juncture with the Colorado. In a matter of weeks, much of the Salton Sink became the Salton Sea.<sup>41</sup>

The flood destroyed Rockwood's dream of financial fortune and ruined the California Development Company. In the spring of 1905 the firm surrendered its management and much of its stock to the Southern Pacific Railroad in exchange for help. The task even challenged the resources of the Southern Pacific which labored until February, 1907, before railroad crews finally controlled the river. For two more years, the Southern Pacific managed the valley's water affairs until creditors forced the California Development Company into receivership. At that point relations with Mexico, already strained because Rockwood had failed to obtain Mexican approval of the engineering features of the intake, became even more tense.<sup>42</sup>

Part of the difficulty stemmed from the appointment of two receivers, one American and the other Mexican, to handle the company's assets. This subjected irrigation operations to the vagaries of two legal systems and led to numerous disagreements between the receivers. One result was that protective work on the lower river came almost to a halt, causing the levee system to deteriorate badly. Only the absence of severe flooding prevented a repetition of the earlier disaster. Compounding the problem and increasing the alarm of valley residents was the fact that the principal canal and most of the company's levees were in Mexico while the revenue necessary to maintain those works came almost entirely from the United States. American creditors were anxious that as little money as possible be spent on maintenance and canal extensions, preferring instead that

revenue be credited to the company's account. "No one seems to think it worthwhile to worry about the condition of the Alamo Channel," complained C. N. Perry, Imperial County surveyor. "Two dredgers lie moored to the bank and no one seems to care." Too many people, he grumbled, were "fighting about how to take care of the water at this end and then ignoring the fact that it has to be brought here first."<sup>43</sup> Not surprisingly settlers soon began clamoring for redress. To free themselves from the receivers, they demanded public ownership of the water supply system, and, to eliminate the problems with Mexico, they demanded a canal wholly in the United States, an "All-American Canal."

Since valley residents considered the dual receivership their most immediate difficulty, they concentrated first on achieving public ownership. They took a major step toward their goal in 1911 when they created the Imperial Irrigation District, an agency which gave them a powerful voice in valley affairs. Through the officers they elected to the board of directors, they could issue bonds, levy assessments, condemn property, and, most importantly, purchase and operate the valley's irrigation system.

Following its organization, the district moved immediately to acquire the irrigation system, but legal complications involving the two receivers and damage claims arising out of the 1905 flood delayed action until 1916. In that year the Southern Pacific purchased the assets of the old California Development Company at a receiver's sale and then, except for the company's irrigable land in Mexico (some 70,000 acres of the original 100,000-acre tract remained), turned around and sold everything to the district for \$3 million. The railroad, busy with its other operations, had no wish to go into the irrigation business. The district, of course, was delighted with the railroad's decision, but, to assure no violation of Mexican law, its board members agreed to place the stock of the Mexican subsidiary—now called the *Compañía de Terrenos y Aguas de la Baja California*—in their own names rather than in the name of the district.<sup>44</sup> With this move public ownership of the canal and levees was finally achieved, and one problem solved. But other difficulties with Mexico continued, causing many to back an All-American Canal.

Insistence on a water delivery system located wholly in the United States mounted steadily following creation of the Imperial Irrigation District in 1911. The reasons were understandable. Public ownership might give valley residents greater control over their water supply, but, so long as the main canal remained in Mexico, their control would be far from complete—or even decisive. This was dramatically brought home to them in 1911 and again in 1914 when revolutionary conditions in Mexico threatened to disrupt the supply. At one time in 1914, following the American invasion of Veracruz, some 600 Mexican soldiers, armed with machine guns, camped just across the border. In response to the valley's frantic calls for help, the California governor sent a battalion of the state militia into the area, and it was quickly joined by a volunteer cavalry troop made up of local residents. If necessary, valley farmers were prepared to invade Mexico to protect their water supply.<sup>45</sup>

Unsettled conditions in Mexico had other disconcerting effects. Dead horses and mules were often found in the canal along with bodies of revolutionary victims.<sup>46</sup> Since valley residents took most of their household water from the



canal, they were understandably upset. They were also alarmed by Mexico's refusal to play a decisive role in helping to check the flood threat below the border. Because much of the land on the Mexican side sloped northward, a break in the canal could lead to a duplication of the earlier disaster. The United States Congress had recognized the problem following the 1905 break and had authorized several appropriations for flood-control work, but its aid was hampered by Mexican officials sensitive to American involvement. American army engineers were compelled to don civilian clothes and to operate through a Mexican company. They also lost considerable time and encountered great difficulty in importing necessary supplies and equipment. Once the revolution broke out, they had to make special arrangements with General Estaban Cantú and other revolutionary leaders in northern Mexico who imposed requirements of their own. By 1915, Congress had decided to withdraw from the increasingly awkward situation. Believing that it had done its part, Congress refused to appropriate more money, thus forcing valley residents to shoulder the burden of flood control in Mexico.<sup>47</sup>

That burden was assumed reluctantly, not only because Mexican harassment continued, but also because the flood menace worsened, thus causing expenditures to increase sharply. Farmers watched the cost of protective work jump from \$100,000 in 1915 to nearly \$1 million in 1916. Though the expense declined in 1917, it hovered around the half-million dollar mark during each of the next four years.<sup>48</sup> Even so, much water, perhaps 30 to 50 per cent, was lost through seepage and evaporation in Mexico where the canal's poorly defined banks merged with nearby sloughs and swampy areas.

But seepage represented a minor hindrance compared with the threat of a major flood which constantly hung over the valley. As the silt raised the bed of the river, levees had to be strengthened and extended. This, in turn, required a heavy cash outlay which the valley raised through tax assessments on land. Those assessments skyrocketed from \$.70 for each \$100 of assessed valuation in 1915 to \$3.25 in 1918, nearly a five-fold increase in three years.<sup>49</sup>

Of course, valley residents made money during these years of rising taxes. By 1918 they had more than 360,000 acres under cultivation, and their property exceeded \$100 million in value, more than nine times its worth in 1907, the year when the flood had been checked and farming operations normalized.<sup>50</sup> Still, many resented Mexico's refusal to share in the cost of the levees below the border, levees which protected Mexican as well as American land. They resented as well the duties which they were often forced to pay on equipment, rock, and animals used in protective work south of the line. They denounced the requirement that all plans and specifications for improvements be cleared with officials in Mexico City, a requirement that led to costly delays and saddled them with two masters—the California state engineer and Mexico's Secretaría de Fomento who often disagreed over how valley engineers should proceed.<sup>51</sup>

But, in order to maintain growth, they endured such hardships and did even more to maintain Mexico's goodwill. "We were invited at one time," complained an irrigation district official, "to build a road of a certain length in Mexico. We are not in the road-building business, and we are under no obligation to build roads, yet we built the road."<sup>52</sup> Such "favors" only intensified the valley's desire to take its water supply route out of Mexico.

An even greater spur to activity among valley residents was the realization that the land in Mexico being protected by their flood control appropriations belonged to Americans. The largest single landholder on the Mexican delta was the Colorado River Land Company, a syndicate controlled by Los Angeles businessmen, the most prominent being Harry Chandler, publisher of the *Los Angeles Times*. Chandler and his partners owned some 840,000 acres which they had purchased in 1904-1905 and then leased in piecemeal fashion to Mexican, Japanese, and, especially, Chinese farmers.<sup>53</sup>

Chandler's use of Oriental labor intensified the anger of valley farmers who accused the Colorado River Land Company of giving to "Japs and Chinamen" water which properly belonged to "red-blooded, free Americans." The racism in their hostility was unmistakable, and they used the opportunity to denounce Asiatics in their own country who, they claimed, "undermine our social standards, destroy the efficiency of our schools, and fill our courtrooms." By aiding such people, they declared, Chandler was betraying "the real American home builder" and, in addition, subjecting Americans to unsanitary conditions. "Who wants to drink from a stream," asked W. H. Brooks, a member of the Imperial County Board of Supervisors, "when he knows that there are 7,000 Chinamen, Japs, and Mexicans camped on that stream a few miles above in Mexico?"<sup>54</sup>

As Brooks and others north of the line watched Chandler's operations expand, however, they became less alarmed about who was using water in Mexico than about the fact that the water was being used. Their attention came to focus increasingly on the concession of 1904, the agreement permitting farmers below the border to take up to half the water diverted through Mexico.

When first negotiated, the concession seemed to represent no serious danger. The Mexican delta was sparsely populated, lacked capital, and possessed inadequate means for transporting goods to market. But the arrival of Chandler and his associates, the containment of the 1905-1907 flood, and the completion of the Inter-California Railroad between Mexicali and Yuma in 1909 led to rapid development of lands below the border. As early as 1908, about 7,000 acres were under cultivation, and within two years that figure more than doubled and then doubled again during the next three years. Although revolutionary conditions worried settlers in the Imperial Valley, there was little interference with agriculture in Mexico. By 1916, the year when the Imperial Irrigation District purchased the water delivery system from the Southern Pacific Railroad, farmers in Mexico were irrigating over 67,000 acres, planted mostly with cotton. Two years later the figure stood at 118,500 acres, and it continued to mount in response to rising cotton prices and improvements in transportation.<sup>55</sup>

These dramatic increases in acreage below the border alarmed settlers in the Imperial Valley. Their alarm intensified during the summer months, especially in 1916, when the river's flow dropped markedly and forced the rationing of water.<sup>56</sup> To farmers in the United States, the limited water supply, Mexico's growth, and the 1904 concession cast a cloud over their future, a cloud which they did not think the American acquisition of Baja California could dissipate. In fact, they believed that such a move would only worsen the situation. "If you took this [Mexican] territory . . .," announced a valley leader, "you would allow these people down there who have made contracts with the Mexican company . . . the right to go into our courts and enforce them against us and, naturally,

that is what the people down there want. It would be a fine thing for them," he declared, "but it would put . . . a bunch of millionaires against a bunch of farmers, and . . . it would be absolutely ruinous to us."<sup>57</sup>

Imperial Valley farmers need not have worried. Mexico, too, opposed such a solution. Still sensitive over her nineteenth-century territorial losses to the United States, her leaders refused even to consider the alienation of land.<sup>58</sup> Unable and unwilling to solve their problem by territorial acquisition, valley spokesmen concluded that their only alternative lay in building an All-American Canal.

Talk about such a canal had preceded the problems with Mexico, going back to the last quarter of the nineteenth century. As early as 1876 the Army Corps of Engineers had investigated the possibility only to consider it impractical. Shortly after the turn of the century the Reclamation Service looked into such a canal as a way of tying the Imperial Valley into its Yuma project, but the estimated costs were so high that nothing was done.<sup>59</sup> Though the topic attracted occasional interest thereafter, serious consideration did not begin until 1912 when the newly-created Imperial Irrigation District began looking for a way to escape the Mexican receiver of the bankrupt California Development Company. On March 23 board members inquired into the possibility of a canal, but the costs involved as well as the district's decision to concentrate its attention on acquiring and improving the already existing irrigation system caused interest to lag.<sup>60</sup> Leadership then passed to Mark Rose, an aggressive, blunt-spoken farmer who was motivated by the growing problems with Mexico and his own desire to make money.

Rose had arrived in the valley in 1901 as a young man of twenty-seven anxious to make his fortune. He had gone to work on the ditch gangs of the California Development Company, saved his money, and in time became a successful farmer with scattered holdings throughout the valley. He was especially attracted by the possibilities of a 200,000-acre tract of government land known as the East Side Mesa. The acreage was at too high an altitude to be watered by the canal through Mexico, but a canal located wholly in the United States would do the job.

Together with thirty others, Rose created the Imperial Laguna Water Company to further his scheme and badgered irrigation district officials to support him.<sup>61</sup> Though he persuaded them to include the mesa lands within the district's boundaries, he found them unwilling to undertake construction of the expensive canal. He then decided to skirt the district's opposition by going to Washington where, in 1917, he negotiated a contract with Secretary of the Interior Franklin Lane permitting him and his associates to build the canal if it proved feasible.<sup>62</sup>

News of Rose's contract alarmed irrigation district officials. They feared that he might acquire a prior water right, thus putting the district in an even more precarious position on the river. They also worried that he would create a serious drainage problem for the valley if he failed to take adequate precautions when he poured water onto the sandy upland areas. To protect themselves against these threats, they quickly took defensive steps. They frustrated Rose by denying him permission to cross land which they owned and which stood in the path of his proposed route. Then they went on the offensive.



"If an All-American Canal is to be built," the district's chief counsel told the board members, the Irrigation District "should build and operate it."<sup>63</sup> District officials agreed. In November, 1917, they asked the secretary of the interior to make an immediate survey determining the cost and feasibility of an All-American Canal connecting the Imperial Valley and Laguna Dam, a small diversion facility located just north of the border and used since 1909 by the Reclamation Service to supply its Yuma Project.

The tie-in at Laguna Dam represented an important consideration. It offered a special advantage to Imperial Valley farmers and promised to lessen the resentment of some Yuma settlers who felt threatened by Imperial Valley operations. The problems with the Arizonans derived from difficulties experienced by the Imperial Irrigation District in diverting sufficient water during periods of low flow. At such times, an expensive weir, or small dam, was placed in the river in order to raise the level high enough to permit diversion. But the weir created a flood danger to Arizona lands upstream. During periods of heavy runoff, it caused the river to back up, inundating valuable farmland and, in 1916, even flooding the town of Yuma. Arizonans struck back by obtaining a court injunction forbidding use of the weir except under carefully controlled conditions. The Imperial Irrigation District was required to post a half-million dollar bond and to remove the weir before the high-water season. District officials agreed to the conditions, though reluctantly, since the building and dynamiting of the weir increased their annual operating costs by more than \$100,000. In addition, the district expended some \$155,000 to protect Arizona lands against erosion caused by the weir.<sup>64</sup> But construction of an All-American Canal with a heading at Laguna Dam promised a permanent settlement of the problem. And such a solution seemed mandatory when worried Arizonans began threatening to force removal of the weir regardless of the steps taken by the valley residents.

Determined to eliminate the difficulty involving the weir and to escape the threat from Mexico, district officials turned for support to Secretary of the Interior Lane and Reclamation chief Davis. Both men were sympathetic. Now that Rose had been removed from the picture, Lane agreed to a canal survey, but only on the condition that the district pay \$30,000 or two-thirds of the survey's cost. He also agreed to the connection at Laguna Dam, but he insisted that the district pledge \$1,600,000 for the privilege. His conditions received the strong approval of valley residents at a mass meeting in early 1918. In mid-February a contract was signed with the government, and a committee of three engineers, a so-called All-American Canal Board, was appointed to make the survey.<sup>65</sup>

In December the engineers issued their preliminary report. To the delight of valley residents, they recommended construction of the canal, though their estimated cost of \$30 million for the sixty-mile aqueduct caused some residents to have second thoughts. Still, enthusiasm remained high—so high, in fact, that in January, 1919, settlers went to the polls and voted by a five-to-two margin to endorse the irrigation district's contract with the Interior Department. Strong opposition came only from residents near Calipatria and Calexico where Chandler and his partners owned considerable acreage.<sup>66</sup> Since Chandler and his

friends possessed even more land in Mexico, they naturally opposed the All-American Canal as a threat to their holdings below the line.

Also unsettling to Chandler was another proposition on the ballot in 1919. It asked voters whether they favored making the Imperial Valley part of a "unified Colorado River project" in which major storage reservoirs as well as the canal would be sought. Responsible for the query were Roy McPherrin and J. S. Nickerson, two irrigation district directors who believed that the valley would never be safe without adequate storage. Their proposition received strong endorsement from settlers who approved it by an overwhelming vote of 2355 to 495.<sup>67</sup>

Beneath the surface, however, there was considerable disagreement among valley leaders over the question of storage. Though in favor of flood control, many objected to tying the canal to any larger project. Such a move, they feared, would raise ticklish questions concerning water rights and funding which would delay, perhaps even kill, attempts to obtain the much-sought aqueduct. Their resistance lessened somewhat in March, 1919, when representatives of the West Side Irrigation Company, Imperial Laguna Water Company, and the newly-created All-American Canal Association of Los Angeles attended an irrigation district meeting. These representatives wanted to develop some 400,000 acres, mostly public land, located outside the district's boundaries and at too high an altitude to be watered by the Mexican canal. Also in attendance were officials of the Coachella Valley County Water District, men who were anxious for a supplementary water supply for some 100,000 acres then under cultivation but dependent primarily on the limited supply from wells. The delegates offered to join in the fight for the All-American Canal so long as they could be assured of water for their lands. After considerable discussion, board members endorsed a resolution urging "congressional action to finance and construct such canal and storage works as may be required for the irrigation of the whole of said arid lands."<sup>68</sup>

Despite the resolution, many valley leaders still advised against asking Congress to provide for both the canal and storage in the same bill. Once the canal was completed and Mexico's "stranglehold" broken, they believed that it would be a simple matter to obtain enough water for their lands. Support for this view came from Phil Swing, talented chief counsel of the irrigation district and prominent valley spokesman virtually from the day of his arrival in 1907. He had earlier campaigned for creation of the Imperial Irrigation District and had also served as Imperial County district attorney. In 1911, following his appointment as chief counsel for the district, he supervised the purchase of the water delivery system from the Southern Pacific and made a study of water problems which convinced him of the need for federal help. As early as 1918 he had gone to Washington to push for "one great irrigation project" for the entire basin, but his experiences persuaded him that the valley would be better served by concentrating its efforts on an All-American Canal.<sup>69</sup>

Swing's legal background and his knowledge of the river made him the logical choice to direct the district's lobbying activities in Washington. Less than two months after the March meeting with land speculators, he was in the capital, handing out valley-produced cantaloupes and conferring with William Kettner,

representative from California's 11th District which included the Imperial Valley. With him were a half-dozen other valley lobbyists, including Mark Rose who had joined forces with the irrigation district after his canal scheme had been taken over by others. Rose wanted an All-American Canal, and he did not care who promoted it so long as it was built. Moreover, both he and Swing opposed complicating their task with a bill calling for storage as well as a canal. Even so, a majority of the district's board of directors instructed them to work not only for the canal, but also for the "complete solution" of the valley's "international relations and flood control" problems.<sup>70</sup>

In Washington the district's lobbyists began quarrelling among themselves over their instructions and how to proceed. Swing and Rose precipitated the controversy by insisting on a bill directing the Interior Department to build only a canal "of sufficient size and capacity" to supply the lands of the Imperial Irrigation District "as well as all other lands within the United States susceptible of practical reclamation." The reference to "other lands" represented an appeal to the land speculators and farmers who had attended the irrigation district's March meeting.

The other valley lobbyists cautioned delay, urging "a more mature investigation and canvassing of the attitude of the different Departments before taking action." Some also insisted that the bill be broadened to include flood control and a provision permitting the "Secretary of the Interior in his discretion to be able to deal with Mexico." Swing and Rose reluctantly agreed to a brief canvass, but steadfastly refused to go any further. Angered because they felt the district's instructions were being violated, two members of the lobbying committee resigned.<sup>71</sup>

Even before the resignations, Swing had gone to Kettner with the bill he favored. Kettner listened attentively. He sympathized with the request for the canal, but he also recognized the need for storage and had already introduced bills calling for flood control on the Colorado, as had California's Charles H. Randall and Arizona's Carl Hayden.<sup>72</sup>

Also helping to focus the attention of Kettner and others on the need for storage had been the actions of the League of the Southwest, an organization claiming to represent scores of businesses and local governments dedicated to "the promotion of the civic, commercial and social interest" of the southwestern quarter of the country. Though claiming to be a "non-political alliance," the League counted eight state governors among its vice-presidents and none of them felt inhibited about pressing the federal government to support "any . . . project or need" that they deemed "legitimate." At their first annual convention in November, 1917, nearly two years before Swing went to Kettner with his bill, League members had announced that the harnessing of the Colorado was among the most important "legitimate" projects deserving federal aid. Convinced that the future of the Southwest was inextricably tied to the river's development and alarmed by the rampaging stream's threat to property and lives, they spelled out their wishes even more precisely at another meeting two months later: "We . . . recommend," declared the assembled delegates, "that the national government have a study made of the entire Colorado river drainage basin with a view to selecting necessary and feasible sites and constructing and operating the works



required to conserve and utilize the flow of [the] river and to reduce the annual flood menace."<sup>73</sup>

Strong additional support for reclamation along the Colorado had also come a year later, in January, 1919, from a group meeting in Salt Lake City which billed itself as the "Soldier's, Sailor's and Marine's Land Settlement Conference." Attended by leaders from the seven Colorado basin states, the conference had strongly endorsed an Interior Department proposal to reclaim several million acres "for homes for returned soldiers and sailors" of the First World War as well as for any others desiring "to avail themselves of the opportunity." Hailing the proposal as a way "to recognize and reward . . . the sacrifice made by men who offered their lives for the preservation of freedom," those at the Salt Lake City meeting also praised the recommendation because it would make jobs available—jobs that would help "defeat the flare-up of Bolshevism evident among men to whom necessity knows no law."<sup>74</sup>

Such pressure had helped generate the flood control bills of Kettner, Randall, and Hayden, but none of those measures had support necessary for enactment. Congress was not aware of the seriousness and larger implications of the basin's problems, and this deficiency bothered Kettner. Still, his commitment to storage was not so strong that it made him unsympathetic to the bill brought to him by Swing. He recognized the merit of dealing separately with storage and the canal. And, on June 17, 1919, he introduced a bill calling only for the construction of the much-sought aqueduct.<sup>75</sup>

Because of the Imperial Valley's lobbying and great interest in the Kettner bill, extensive hearings were held by the House Committee on Irrigation of Arid Lands. Almost immediately the measure came under attack, and among the sharpest critics was Arthur Powell Davis, director of the Reclamation Service. Davis saw the bill as an opportunity to lobby for storage on the lower river. Though he agreed that the canal would help limit Mexican agricultural expansion, enable valley settlers to compel those below the border to share in flood-control expense, and lessen the threat posed by revolutionary conditions to the water supply, he insisted that the aqueduct could offer no real solution to the valley's problems unless it were accompanied by storage. "If 300,000 or 400,000 acres of additional land is put under irrigation without storage," he argued, "it will threaten the water supply of the whole valley." Moreover, construction of the canal alone would not eliminate the flood threat from Mexico. But "if we had complete storage," he emphasized, "the flood menace would be removed."<sup>76</sup> Davis's views were shared by Arizona's Carl Hayden, who not only worried about the flood threat to lands along the lower river, especially to his own state's valuable Yuma project, but who also believed that more water would have to be made available for the basin's parched lands. "There must be reservoir construction," he emphasized, and the Imperial Valley "should pay some equitable part of the cost of the water storage."<sup>77</sup>

Such a payment was exactly what Rose and Swing wanted to avoid. The valley "will participate in the cost of the canal," stated Rose, "but not in storage, because there is ample water" for Imperial lands. "We believe we can irrigate every acre of the land without any reservoirs," he declared. Rose admitted that protective works below the border would have to be maintained, but he insisted

that the canal would enable the United States to force landholders in Mexico to share levee costs. Even if the river broke loose, it would first "flood the Mexican land," he reminded Congress, "and that land does not belong to Mexicans." "It belongs to some good, shrewd Americans, and they are not going down there and cut that levee or allow it to be breached by flood waters."<sup>75</sup>

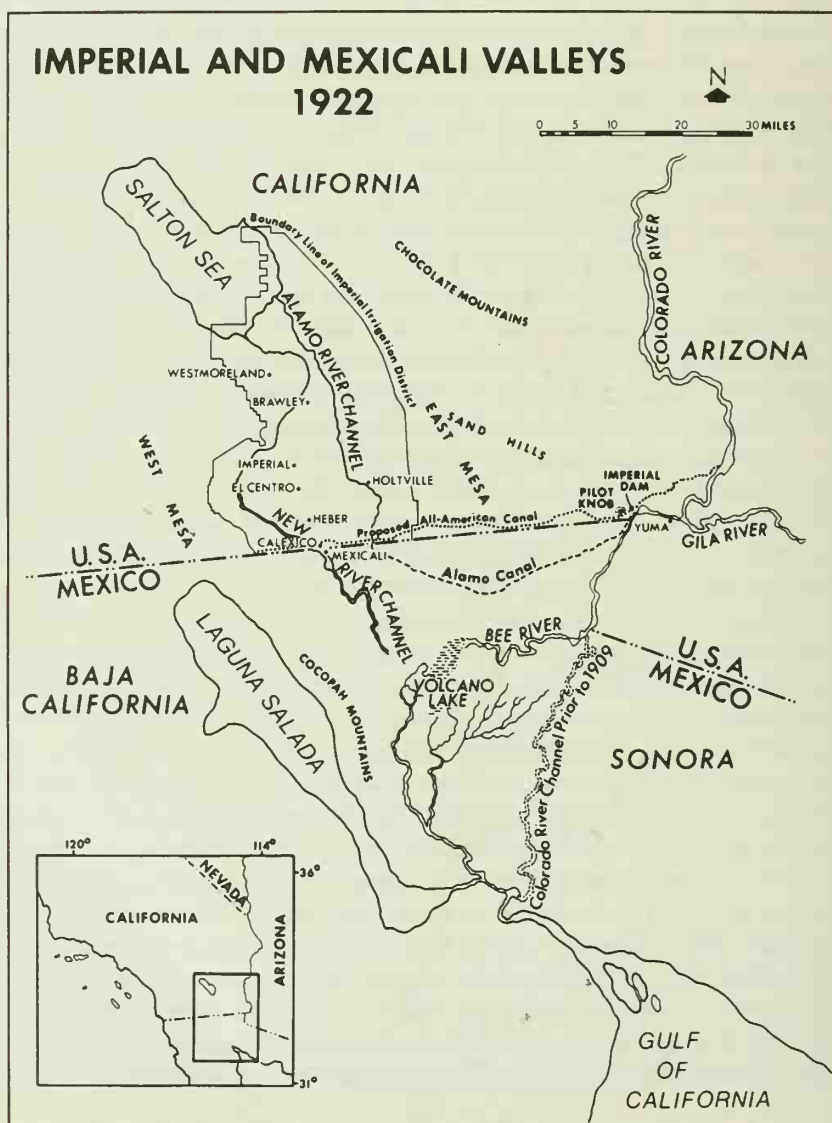
Swing also argued against storage, especially on the upper river, claiming that it would menace the valley's water rights. "If we built storage, we would have no way of policing the stream and preventing upstream diverters from taking all they need," he explained. Nor, he added, would storage aid the valley in its attempt to escape interference from Mexico. In fact, if storage preceded the construction of the canal, Mexico's encroachment on the valley's water supply would be furthered. The 1904 concession, explained Swing, makes no distinction "between the natural flow and stored water." Consequently, reservoirs, by controlling the river, would make it possible for more water to be diverted into the Alamo canal and from there onto Mexican lands. But the All-American Canal was mandatory, argued Swing, for without it Mexico would eventually take all the water. Swing had no evidence to support such a claim, but this proved no deterrent. "These Mexican . . . lands menace us like a great sponge," he declared, "which threatens to absorb more and more water, until such time as they will take all of the natural flow of the river."<sup>76</sup>

Rose and Swing had no trouble convincing most of their listeners that a canal was necessary, but few accepted their objections to storage. The two men were unable to counter the claims of Davis and other Interior Department experts who contended that reservoirs were necessary if valley lands were to be assured a year-round water supply. In addition, their fears about the valley's water rights were challenged by Davis's contention that the upper and lower portions of the basin were not in competition. "My position," stated Davis, is that "there is certainly no antagonism between irrigation in the upper valleys and irrigation in the lower valleys, provided . . . that the water is not taken out of the basin [by the upper states] and kept out; and provided, also, that storage reservoirs are not . . . used for storage during the low-water months." The states "should store their water during the high-water months."<sup>77</sup>

Davis's position received strong support in July, 1919—less than two weeks after hearings had begun on the Kettner bill—when the three engineers hired to investigate the feasibility of the All-American Canal issued their long-awaited final report. They strongly endorsed the building of the canal, but they also urged "the early construction of storage reservoirs . . . as part of a comprehensive plan for the betterment of the water-supply conditions throughout the entire basin."<sup>78</sup> Davis was delighted, while Swing accepted the fact that the canal had become inseparably linked with the question of storage and bowed to the Interior Department's wishes. He agreed to a storage amendment permitting the secretary of the interior to assess costs against the lands to be benefitted. In fact, only a few days later, in testimony before the House Committee on Flood Control, he reaffirmed his support for storage and even parroted Davis's claim that there would be enough water for everyone if the river were controlled. Swing's conversion seemed complete, the more so because it pleased those irrigation district leaders who felt that he should have supported storage all along.<sup>79</sup>



*Phil Swing (left), talented defense counsel for the irrigation district, became the district's chief lobbyist in Washington after abortive experiences with privately financed ventures convinced supporters that a publicly owned project was necessary. In the 1920's Swing skillfully mustered congressional support for the idea of the comprehensive Boulder Canyon project—including present-day Hoover Dam and the All-American Canal—and the massive public expenditures it entailed. The map of the project area in 1922 (below) shows the lands affected by the proposed canal, the boundaries of the Imperial Irrigation District, the old and new Colorado River channels, and the Salton Sea.*





Swing's decision helped align more closely the goals of the Imperial Valley with those of Davis and the Interior Department, but it did not guarantee congressional approval of the canal or a moratorium on attacks on the bill. Other critics proved as difficult to silence as Davis and Hayden. From Secretary of State Robert Lansing came strong objections to the construction of an All-American Canal until the United States and Mexico had negotiated a treaty dividing the river's waters. Though he believed that the United States was not obligated to surrender water, he felt that "considerations of equity and comity" entitled Mexico to some of the river's flow, and he cited as precedent the 1906 treaty on the Rio Grande which had awarded Mexico 60,000 acre-feet. "I may call to the attention of your committee," he wrote Moses Kinkaid, chairman of the House Committee on Irrigation of Arid Lands, "the apparent inconsistency which would result should the Government of the United States, having acted to prevent the monopolization by private parties within the United States of the waters of the Rio Grande, provide in an analogous case for monopolization by the authorities of the United States of the waters of the Colorado River."<sup>83</sup>

Even more outspoken in his criticism of the bill was Secretary of the Treasury Carter Glass who considered the measure's financial features "wholly untenable." The bill directed the Treasury Department to accept the Imperial Irrigation District's bonds, and, then, to avoid the need for a congressional appropriation, it required the department to obtain funds by issuing certificates of indebtedness. In effect, it compelled the government to underwrite the project by guaranteeing the district's bonds and by itself going into debt—a move which Glass refused to countenance. The government should be paying off all national obligations, not adding to them, argued Glass, who reflected the economic notions of many of his contemporaries. "If the project is meritorious," he advised, then it should be handled "in the simple old-fashioned way" with "a direct appropriation of a specific amount for the purpose."<sup>84</sup>

Advocates of the measure insisted that the financial arrangement was sound and that Congress lacked the funds for a direct appropriation. They also argued that construction of the canal should not await a treaty. Revolutionary conditions in Mexico would preclude successful diplomatic talks and, besides, negotiations should follow, not precede, the canal's completion so that the United States could bargain from a position of strength. In this instance, Arthur Powell Davis threw his support to those from the Imperial Valley who argued against giving priority to a treaty. "If we . . . hold . . . that we must not take any action of this kind until we get an agreement with Mexico, it simply announces, 'We are in your hands; do with us as you please.'"<sup>85</sup>

Especially upset by the State Department's recommendation was the Coachella Valley's Thomas Yager, delegate from the water-starved area immediately to the northwest of the Imperial Valley. "The waters of the Colorado River are inherently ours," announced Yager as he posed as spokesman for all Americans, "and . . . I can not understand why our State Department suggests that comity requires so much from us." "Wherein . . . does equity and comity compel American citizens to concede rights to Mexico depriving American farmers and American lands of the water of the Colorado River?" he asked. Mark Rose was equally bitter: "It strikes me as queer that the Secretary of State of the

United States should be pleading for the interest of some foreign country rather than the interests of . . . the United States."<sup>86</sup>

These protests caused Congress to be uneasy about the bill, especially about certain provisions which gave advantages to land speculators like Rose who would profit because water would be made available at government expense for the public lands on the East Side Mesa and elsewhere. Even some Imperial Valley leaders, including the irrigation district's board of directors, found this troubling, the more so as they noted the growing opposition to the Kettner bill. Most alarmed were veteran's groups which joined with Elwood Mead, internationally-known irrigation expert and chairman of the California Land Settlement Board, in demanding changes in the bill. Government lands made irrigable by construction of the All-American Canal, argued Mead and his supporters, should be offered first to veterans and society's less fortunate members.<sup>87</sup>

Mead and his allies soon received the open support of the Imperial Irrigation District which realized the voter appeal of a provision aiding veterans. In September the district urged Congress to amend the bill and give ex-servicemen a prior right to file on the new lands to be watered by the canal. This move bitterly disappointed Rose, but he refused to abandon the project. He owned other lands which he believed would benefit from the canal, and he continued in the fight to remove the valley's water supply from Mexico.<sup>88</sup>

Though Congress was anxious to aid veterans and was sensitive to the Imperial Valley's problems, it was impressed by the reservations of Treasury Secretary Glass and Secretary of State Lansing. It refused to bring the Kettner bill to a vote. Undaunted, Kettner responded to Imperial Valley pressure and introduced another measure on January 7, 1920. This bill provided for the canal, for preferential treatment of veterans, and for small homesteads. Developers of new land could receive water for no "more than 160 acres . . . in any one ownership." In addition, the bill responded to storage demands by directing the secretary of the interior "to construct such storage reservoir and other works as in his judgment are necessary to provide an adequate supply of water for the successful irrigation of such lands." It also proposed a financial arrangement less offensive to the Treasury Department and a provision calculated to soften the opposition of Secretary of State Lansing.<sup>89</sup> To placate Treasury Secretary Glass, it provided for a direct congressional appropriation—to be repaid by those benefiting from the project. To satisfy Lansing, it authorized the secretary of the interior to supply Mexico with water unneeded in the United States, though with the understanding that such a gesture would establish no precedent. Lansing still favored a treaty, but he believed that the new provision might stimulate negotiations and so endorsed this second bill.<sup>90</sup>

In the meantime, Congress was impressed with the need to obtain detailed scientific information, especially about storage sites, and it was also uneasy because of Rose's attempt to obtain compensation for the surveys he had made under his earlier contract with the Interior Department to build a canal. Rose wanted reimbursement, especially now that veterans were to be given preferential rights to the new lands, but he opposed the storage studies because he believed they were unnecessary and would delay construction of the canal. "I don't like the idea of putting into the hands of the allies of the Mexican interests . . . an opportunity to say 'let's wait.'"<sup>91</sup>

But Congress elected to wait, especially after the Imperial Irrigation District

repudiated Rose's position and after Arthur Powell Davis strongly underscored the need for further studies. "The most feasible point for storage . . . is in the Boulder Canyon," explained Davis, but investigations were incomplete. "We have made surveys there for a high dam," he noted, "and we were pursuing them until driven out partly by exhaustion of funds and partly by high water, and that survey needs completing."<sup>92</sup> Congress agreed. In May, 1920, it approved the Kinkaid Act directing the secretary of the interior to complete the survey.<sup>93</sup> With this step, the movement which eventually led to the Boulder Canyon project took a giant step forward.

By 1920 a concerted drive to control the Colorado had definitely emerged. Kettner's bills dramatically focused attention on the demands for storage and the All-American Canal, both of which eventually became integral parts of the Boulder Canyon Project legislation. The battle was far from over, of course, and other developments involving hydroelectric power and the Colorado River Compact would help shape the project legislation; nevertheless, a crusade had been launched which could not be stopped. Only a little over a year later, in February, 1922, the Interior Department completed the survey authorized by the Kinkaid Act and issued the famous Fall-Davis report (named for Albert Fall, the new secretary of the interior in the Warren Harding administration, and for Arthur Powell Davis, who was primarily responsible for the study). This report strongly recommended the canal as well as a high dam "at or near Boulder Canyon." It also urged the installation of a power plant at the dam site so that electricity could be sold in order to pay for the storage works.<sup>94</sup> Two months later, on April 25, 1922, Phil Swing, now a member of Congress, joined with California's Senator Hiram Johnson and introduced a bill to carry out the report's aims.<sup>95</sup> This first Swing-Johnson bill was followed by three others and considerable legislative fighting, but success was finally achieved in 1928.

But long before 1928—certainly as early as 1919 and 1920 when Kettner introduced his bills—the movement for what became known as the Boulder Canyon Project was well under way. The origins of the undertaking cannot be stated simply or with mathematical precision. They go back at least as far as John Wesley Powell's vision of a more rational approach to the problems of the arid West. Moreover, they are certainly to be found in the determined efforts of Arthur Powell Davis who, as early as 1902, devised a plan for the comprehensive development of the Colorado. Obviously of great importance were the complicated events in the Imperial Valley which provided Davis and other advocates of storage with the powerful support they needed. Not to be forgotten were the pressures of veteran's groups and such organizations as the League of the Southwest. Then, too, there was the role played by the country's growing demand for hydroelectric power—a demand evident before the turn of the century in the activities of Arizona's Anson Smith and a demand on which Congress eventually capitalized in order to pay for most of the project.<sup>96</sup> In addition, there was the pressure from other Arizonans, especially Carl Hayden. Though Hayden later vigorously opposed many aspects of the Boulder Canyon Project, he prodded it along during these early years with his own flood control bills and his sharp questioning during the hearings on the Kettner bills. In time, of course, the campaign attracted support from elsewhere, especially from South-



ern California's increasingly water- and power-conscious coastal cities.<sup>97</sup> But it also attracted opponents, and there is no gainsaying the major role played later by Phil Swing and others in fighting for congressional approval during the 1920's. As Beverley Moeller has demonstrated, Swing contributed mightily to the winning of the subsequent legislative battles for the Boulder Canyon Project, though his attitude toward storage during the years before 1920 suggests that he should not be considered the "father" of Boulder, or Hoover, Dam, as some have suggested. He, in fact, considered Arthur Powell Davis the "real father of Boulder Dam."<sup>98</sup> His assessment seems to be a sound one.

In the final analysis, however, the origins of the Boulder Canyon Project should not be sought in one person or in one place. Rather, they are to be found in the actions of a number of people, working at different times and in different parts of the country and each contributing to the movement which surfaced at the end of the second decade of the twentieth century to eventually produce one of the world's engineering and reclamation wonders.

#### NOTES

1. "The Hoover Dam Documents," *H.Doc.* 717, 80 Cong., 2 sess. (1948), 13-15, 38-43.
2. Paul Kleinsorge, *The Boulder Canyon Project* (Stanford, 1941); Beverley B. Moeller, *Phil Swing and Boulder Dam* (Berkeley and Los Angeles, 1971). Moeller provides an excellent discussion of Swing's activities as a congressman in the 1920's, but she does not discuss the changing attitudes of Swing and others towards storage before 1920. These attitudes can be discerned most clearly in the papers of the Imperial Irrigation District which heretofore have not been used by scholars. Undocumented accounts include Albert N. Williams, *The Water and the Power* (New York, 1951); Frank Waters, *The Colorado* (New York, 1946); David O. Woodbury, *The Colorado Conquest* (New York, 1941); and Remi A. Nadeau, *The Water Seekers* (New York, 1950). Both Woodbury and Nadeau made use of interviews, and Nadeau provides readers with a helpful bibliographical note. Though my own book, *Dividing the Waters: A Century of Controversy between the United States and Mexico* (Berkeley and Los Angeles, 1966), draws on materials in the National Archives and in other depositories, the focus of that study is such that it naturally does not discuss some important events which culminated in the Boulder Canyon Project and deals tangentially with others. Moreover, when that study was written, some important materials, like those in the archives of the Imperial Irrigation District, the Secretaría de Relaciones Exteriores, and the Sherman Foundation, were unavailable to scholars.
3. Williams, *The Water and the Power*, 85; Nadeau, *The Water Seekers*, 240, cf. 173.
4. Woodbury, *The Colorado Conquest*, 304-305; Charles A. Bissell and Frank E. Weymouth, "Arthur Powell Davis," *Transactions of the American Society of Civil Engineers*, C (1935), 1585. See also Waters, *The Colorado*, 327-329, *passim*; and Kleinsorge, *The Boulder Canyon Project*, *passim*.
5. "Report on the Lands of the Arid Region of the United States," by J. W. Powell, *H. Ex. Doc.* 73, 45 Cong., 2 sess. (1878), 23, 85, 149-163; "Geographic and Geological Surveys West of the Mississippi," *H. Rep.* 612, 43 Cong., 1 sess. (1874), 10, 53; "Reservoirs in Arid Regions of the United States," *S.Ex.Doc.* 163, 50 Cong., 1 sess. (1888), 2-6; "Sundry Civil Appropriation Bill," *S. Rept.* 2613, 50 Cong., 2 sess. (1889), 109-110; Everett W. Sterling, "The Powell Irrigation Survey, 1888-1893," in *Mississippi Valley Historical Review*, XXVII (1940), 421-434. Several writers claim that Powell selected a reservoir site in the Boulder Canyon area, but they cite no supporting evidence, and I have found none. See, for example, William Culp Darrah, *Powell of the Colorado* (Princeton, 1951), 307, 399; John Upton Terrell, *The Man Who Rediscovered America: A Biography of John Wesley Powell* (New York, 1969), 254.

Leonard Wibberly, *Wes Powell: Conqueror of the Grand Canyon* (New York, 1958), 206-207, seems to agree with Darrah and Terrell.

6. Richard J. Hinton, *The Hand-Book to Arizona* (San Francisco, 1878), 66.

7. "Preliminary Examination of Reservoir Sites in Wyoming and Colorado," *H.Doc.* 141, 55 Cong., 2 sess. (1897), 58.

8. John T. Ganoe, "The Origin of a National Reclamation Policy," *Mississippi Valley Historical Review*, XVIII (1931), 34-52.

9. See the various biographical sketches prepared by Davis and others in the Arthur Powell Davis Papers, Western History Research Center, University of Wyoming. See also Bissell and Weymouth, "Arthur Powell Davis," *Transactions of the American Society of Civil Engineers*, 1582; "Arthur Powell Davis," *Dictionary of American Biography* (New York, 1944), XI, supplement one, 224-225; *Who's Who in America, 1934-35* (Chicago, 1934), 675; *New York Herald Tribune*, Aug. 8, 1933; U.S. Dept. of the Interior, Memorandum for the Press, July 10, 1933, Davis Papers; House Committee on Irrigation and Reclamation, "Hearings on Protection and Development of Lower Colorado River Basin, H.R. 2903," 68 Cong., 1 sess. (1924), 1375-1377.

10. In 1925 Davis stated that his first attempt "to outline some project for irrigation from the Colorado River" occurred "some 33 years ago"—apparently in 1892. Senate Committee on Irrigation and Reclamation, "Hearings on Colorado River Basin, S. Res. 320," 69 Cong., 1 sess. (1925), 173; cf. House Committee on Irrigation and Reclamation, "Hearings on Protection and Development of Lower Colorado River Basin, H.R. 2903," p. 1378.

11. A. P. Davis to Gifford Pinchot, May 14, 1912, Davis Papers; Davis, *The Single Tax from the Farmer's Standpoint* (Minneapolis, 1897); *Pacific Builder and Engineer*, July 11, 1914. For an incisive and provocative discussion of Davis, see Gene Gressley, "Arthur Powell Davis, Reclamation, and the West," in *Agricultural History*, XLII (1968), 241-257.

12. League of the Southwest, Minutes (Denver, Colo., Aug. 25-27, 1920), 34, copy in Imperial Irrigation District Papers, box 477, Imperial, Calif.

13. Arthur Powell Davis to J. B. Lippincott, Oct. 10, 1902, Bureau of Reclamation Papers, file 187, Colorado River Project, 1902-1919, Record Group 115, National Archives (hereafter cited as Bureau of Reclamation Papers, CRP).

14. U.S. Geological Survey, *First Annual Report of the Reclamation Service, 1902* (Washington, D.C., 1903), 106, 109. Davis eventually selected Black Canyon, about twenty miles below Boulder Canyon, as the site of Hoover Dam.

15. Kingman *Mohave County Miner*, Nov. 3, 1894.

16. *Ibid.*, Dec. 1, 1894, Jan. 12, 19, and Feb. 2, 1895; J. Hubert Smith to Norris Hundley, Nov. 24, 1971. I am indebted to Bert Fireman, director of the Arizona Historical Foundation at Arizona State University, for first making me aware of Anson Smith's activities.

17. A. P. Davis to J. B. Lippincott, Oct. 10, 1902, Bureau of Reclamation Papers, CRP; J. B. Lippincott, "Report on the Necessity for the Regulation of the Colorado River . . ." (July 23, 1904), 9, *ibid.*; A. P. Davis, George Y. Winsor, and W. H. Sanders to F. H. Newell, Sept. 26, 1904, *ibid.*

18. F. H. Newell to A. P. Davis, Nov. 10, 1903, *ibid.*

19. *Cong. Rec.*, 59 Cong., 2 sess. (1907), 1029; A. P. Davis and others to chief engineer, Jan. 7, 1907, Bureau of Reclamation Papers, CRP; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," 66 Cong., 1 sess. (1919), 99; U.S. Dept. of Interior, *Fourteenth Annual Report of the Reclamation Service, 1914-1915* (Washington, D.C., 1915), 323; "Colorado River Development," *S. Doc.* 186, 70 Cong., 2 sess. (1929), 40-41.

20. A. P. Davis to supervising engineer, Nov. 25, 1913, Bureau of Reclamation Papers, CRP.

21. "Irrigation in Imperial Valley, California," *S. Doc.* 246, 60 Cong., 1 sess. (1908), 5; Fred B. Kniffen, *The Natural Landscape of the Colorado Delta* (Berkeley, 1932), 150; H. T. Cory, *The Imperial Valley and the Salton Sink* (San Francisco, 1915), 15, 49; D. T.

MacDougal *et al.*, *The Salton Sea* (Washington, D.C., 1914), 17; U.S. Geological Survey, "Colorado River and Its Utilization," *Water-Supply Paper* 395, by E. C. LaRue (Washington, D.C., 1916), 13.

22. Munson J. Dowd, *Historic Salton Sea* (4th printing, n.p., April, 1965), 6-9; Godfrey G. Sykes, *The Colorado Delta* (Washington, D.C., 1937), 128-154, *passim*; Kniffen, *Natural Landscape*, 165-166; U.S. Dept. of Agriculture, "Silt in the Colorado River and Its Relation to Irrigation," *Technical Bulletin* No. 67, by Samuel Fortier and Harry F. Blaney (Washington, D.C., 1928), 61-62.

23. Otis B. Tout, *The First Thirty Years, 1901-1931* (San Diego, [1931]), 25-26; "Reports of the Explorations and Surveys, to Ascertain the Most Practicable and Economical Route for a Railroad from the Mississippi River to the Pacific Ocean," *S. Ex. Doc.* 78, 33 Cong., 2 sess. (1856); Barbara Ann Metcalf, "Oliver M. Wozencraft in California, 1849-1887" (M.A. thesis, University of Southern California, 1963), 81-84.

24. *Calif. Stats.*, Tenth Session of Legislature (1859), 238-240, 392-393; *Cong. Globe*, 37 Cong., 2 sess. (1862), 2379-2381; Tout, *First Thirty Years*, 26; Metcalf, "Oliver M. Wozencraft," 87-96.

25. Charles R. Rockwood, *Born of the Desert* (Calexico, Calif., 1930), 2-12; W. T. Heffernan, *Personal Recollections* (Calexico, Calif., 1930), 3-10.

26. Rockwood, *Born of the Desert*, 17-21; J. A. Alexander, *The Life of George Chaffey* (Melbourne, 1928), 283-294; M. J. Dowd, "History of Imperial Irrigation District and the Development of Imperial Valley" (El Centro, typescript, 1956), 18 (copy in library of the Imperial Irrigation District, El Centro); Tout, *First Thirty Years*, 29-40, 45-50, 162, *passim*; Edgar F. Howe and Wilbur J. Hall, *The Story of the First Decade* (Imperial, 1910), 39-65, *passim*.

27. Tout, *First Thirty Years*, 48.

28. "Irrigation in Imperial Valley," 14-16; Tout, *First Thirty Years*, 34-35, 48, 190; "Report of the American Section of the International Water Commission, United States and Mexico," *H. Doc.* 359, 71 Cong., 2 sess. (1930), 103; Imperial County Board of Supervisors, *Imperial Valley, 1901-1915* (Los Angeles, 1915), 2-5; Imperial Land Company, *Imperial Valley Catechism* (12th ed. rev., Los Angeles, March, 1904), 1-5, *passim*.

29. Copies of the contracts which Rockwood and his associates negotiated with Andrade can be found in the Colorado River Land Company Papers, M. H. Sherman Foundation, Corona del Mar, California. See, especially, the contract of June 29, 1898. I thank William O. Hendricks, director of the Sherman Foundation, for bringing these contracts to my attention. For an excellent discussion of the attempts by Andrade and others to develop lands along the lower Colorado in Mexico, see William O. Hendricks, "Guillermo Andrade and Land Development on the Mexican Colorado River Delta, 1874-1905" (Ph.D. dissertation, University of Southern California, 1967).

30. C. R. Rockwood, "Value of Stock of Sociedad Irrigacion y Terrenos de la Baja California," n.d., C. R. Rockwood file, Water Collection, Honnold Library, Claremont Colleges.

31. Rockwood, *Born of the Desert*, 13; Heffernan, *Personal Recollections*, 8; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 105-106, 213-215; Compañía Mexicana de Terrenos del Río Colorado, S.A., *Colonización del Valle de Mexicali, B.C.* (México, D.F., 1958), 78.

32. M. de Azpiroz to John Hay, Nov. 27, 1901, in "Report of the American Section," 254.

33. David D. Caldwell to Attorney General, July 15, 1902, State Department Papers, file 711.1216 M/533, National Archives; Marsden C. Burch to Attorney General, Sept. 28, 1903, *ibid.*; U. S. Attorneys General, *Official Opinions*, XXI, 274-283.

34. Compañía Mexicana, *Colonización del Valle de Mexicali*, 79.

35. A copy of the 1899 water filing can be found in the Colorado River Land Company Papers. Rockwood and his associates filed for water as early as 1895. Dowd, "History of Imperial Irrigation District," 26-27; California Dept. of Public Works, Division of Engineering and Irrigation, "Irrigation Districts in California," *Bulletin* No. 21, by Frank Adams (Sacramento, 1929), 339; Heffernan, *Personal Recollections*, 5.



36. Rockwood, *Born of the Desert*, 27-28; J. B. Lippincott to F. H. Newell, March 24, 1903, State Department Papers, file 711.1216 M/533; David D. Caldwell to Attorney General, July 15, 1902, *ibid.*; Cory, *Imperial Valley and Salton Sink*, 1271-1274; Dowd, "History of the Imperial Irrigation District," 50-53; L. M. Holt, *The Unfriendly Attitude of the United States Government Towards the Imperial Valley* (Imperial, Calif., 1907), 36-41; Howe and Hall, *Story of the First Decade*, 127-133; Tout, *First Thirty Years*, 97-98; J. B. Lippincott, "The Lower Colorado River" (1904), *passim*, in the Joseph B. Lippincott Papers, Water Resources Center Archives, University of California, Berkeley.

37. *Cong. Rec.*, 58 Cong., 2 sess. (1904), 4963-4978; "Irrigation in Imperial Valley, California," 12-13; Tout, *First Thirty Years*, 97-99; Cory, *Imperial Valley and Salton Sink*, 1274-1275; Rockwood, *Born of the Desert*, 27-28; A. H. Heber, *Address . . . to the Settlers of Imperial Valley* (Los Angeles, [1904]), 7-39.

38. Cory, *Imperial Valley and Salton Sink*, 1275.

39. México, Secretaría de Relaciones Exteriores, Oficina de Límites y Aguas Internacionales, *El Tratado de Aguas Internacionales* (México, D.F., 1947), 23. A copy of the 1904 contract is in box 497, Imperial Irrigation District Papers (hereafter IID Papers), Imperial, California. A copy can also be found in House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 209-213. See also Secretario de Fomento to Secretario de Relaciones, Nov. 16, 1905, Papers of the Comisión Internacional de Límites entre México y los Estados Unidos, file 842 (iv), Archives of the Secretaría de Relaciones Exteriores, México, D.F.; Manuel Calero to Secretario de Relaciones Exteriores, Aug. 19, 1912, *ibid.*, 803 (i); memo from F. P. Puga, July 26, 1912, *ibid.*, 843 (i).

40. A. H. Heber to H. G. Otis, May 19, 1905, Colorado River Land Company Papers, portfolio 9; "Use of Waters of the Lower Colorado River for Irrigation," *H. Doc.* 204, 58 Cong., 3 sess. (1905), 1-2.

41. Cory, *Imperial Valley and Salton Sink*, 1276-1291; Tout, *First Thirty Years*, 98-105.

42. Tout, *First Thirty Years*, 101, 106-110.

43. C. N. Perry to H. T. Cory, Jan. 31, 1912, Perry Papers, Water Collection, Honnold Library. See also Imperial Irrigation District Board of Directors, Minutes (Oct. 24, 1913), I, 135, *passim* (these minutes are in the offices of the Imperial Irrigation District, El Centro); *El Centro Progress*, Feb. 17, 1912; Tout, *First Thirty Years*, 110-111, 137.

44. Imperial Irrigation District Board of Directors, Minutes (Jan. 4, 1916), II, 110-118, (Feb. 10, 1916), II, 127; M. J. Dowd, *The Colorado River Flood-Protection Works of Imperial Irrigation District: History and Cost* (N.p., July 1951), 25; Tout, *First Thirty Years*, 114, 121; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," p. 117. The new Mexican company had been organized in 1910 by the Southern Pacific. The Mexican government permitted it to hold the concession of the original company. Dowd, "History of the Imperial Irrigation District," 78-79, 93-94.

45. Tout, *First Thirty Years*, 192-193, 196; James J. Hudson, "California National Guard and the Mexican Border, 1914-16," *California Historical Society Quarterly*, XXXIV (1955), 157-158.

46. House Committee on Irrigation and Reclamation, "Hearings on Protection and Development of Lower Colorado River Basin, H. R. 2903," pp. 270, *passim*.

47. Dowd, *Colorado River Flood-Protection Works*, 6-24; "Lower Colorado River," *H. Doc.* 972, 61 Cong., 2 sess. (1910); "Work of the Interior Department," *H. Doc.* 504, 62 Cong., 2 sess. (1912), 129-186; "Protection of Lands and Property in the Imperial Valley, Cal.," *H. Doc.* 1476, 63 Cong., 3 sess. (1915); "Plan for Protection of Imperial Valley, California," *H. Doc.* 586, 64 Cong., 1 sess. (1916); "Irrigation in Imperial Valley, California: Its Problems and Possibilities," *S. Doc.* 246, 60 Cong., 1 sess. (1908); "Flood Waters of the Colorado River," *S. Doc.* 846, 62 Cong., 2 sess. (1912); "Colorado River," *S. Doc.* 867, 62 Cong., 2 sess. (1912); "Imperial Valley, California," *S. Doc.* 232, 64 Cong., 1 sess. (1916); "The Colorado River in Its Relation to the Imperial Valley, California," *S. Doc.* 103, 65 Cong., 1 sess. (1917), 28-31.

48. Dowd, *Colorado River Flood-Protection Works*, 61-62; see also All-American Canal Board, *Report of the All-American Canal Board* (Washington, D.C., 1920), 14-15.

49. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 129, 147-148; House Committee on Flood Control, "Hearings on Colorado River Survey, Imperial Valley Project, H.R. 3475," 66 Cong., 1 sess. (1919), 22; Ray S. Carberry to President, Imperial Water Co., Jan. 25, 1915, Imperial Water Company No. 1 file, Water Collection, Honnold Library.

50. "Report of the American Section," 103; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 63, 108; Tout, *First Thirty Years*, 190.

51. Arthur M. Nelson to W. R. Snow, Dec. 28, [1919], box 491, IID Papers; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 116-118, *passim*; House Committee on Flood Control, "Hearings on Colorado River in Arizona," 65 Cong., 3 sess. (1919), 12; House Committee on Flood Control, "Hearings on Colorado River Survey, Imperial Valley Project, H.R. 3475," pp. 16-17; Senate Committee on Irrigation and Reclamation, "Hearings on Colorado River Basin, S. 727," 68 Cong., 2 sess. (1925), 172-175. At times even U. S. immigration officials interfered with the valley's attempt to bring laborers into Mexico to work on the levees. LeRoy Hall to Robert Lansing, Oct. 16, 1918, box 488, IID Papers.

52. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, California, H.R. 6044," p. 118.

53. Hendricks, "Guillermo Andrade," 200-208; Aurelio de Vivanco, *Baja California al Día* ([Los Angeles], 1924), 387, 389, 410; "Report of the American Section," 161-162; U.S. Dept. of Commerce, Bureau of Foreign and Domestic Commerce, "Mexican West Coast and Lower California: A Commercial and Industrial Survey," *Special Agents Series No. 220*, by P. L. Bell and H. Bentley MacKenzie (Washington, D.C., 1923), 306-309; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," p. 108; Pablo L. Martinez, *A History of Lower California* (México, D.F., 1960), 530-531.

54. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 164, 173, *passim*; House Committee on Flood Control, "Hearings on Colorado River Survey, Imperial Valley Project, H.R. 3475," pp. 16-17. Cf. Chandler's testimony concerning flood-protection expense in House Committee on Irrigation and Reclamation, "Hearings on Protection and Development of Lower Colorado River Basin, H.R. 2903," pp. 1590-1592, 1619, *passim*; see also Epes Randolph to Carl Hayden, Sept. 2, 1919, box 600, folder 6, Carl Hayden Papers, Arizona State University Library, Tempe.

55. "Report of the American Section," 103; Vivanco, *Baja California al Día*, 387-391; Tout, *First Thirty Years*, 277; U.S. Dept. of Commerce, Bureau of Foreign and Domestic Commerce, "Mexican West Coast and Lower California," 299-309; David Henderson, "Agriculture and Livestock Raising in the Evolution of the Economy and Culture of the State of Baja California, Mexico" (Ph.D. dissertation, University of California, Los Angeles, 1964), 209-210. Eugene Chamberlin and Pablo Martinez believe that development would have proceeded considerably faster if the Colorado River Land Company had been willing to sell its lands instead of leasing them. See Chamberlin, "Mexican Colonization versus American Interests in Lower California," *Pacific Historical Review*, XX (1951), 45; Martinez, *A History of Lower California*, 530.

56. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 139, 143, 121; Tout, *First Thirty Years*, 121.

57. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 57, 128.

58. State Dept. memo, May 22, 1911, State Department Papers, file 711.1216 M/286; P. C. Knox to John D. Works, Feb. 10, 1912, *ibid.*, 318. Before development below the border became extensive, the Imperial Irrigation District favored the purchase of the Mexican delta.

Imperial Irrigation District to John D. Works, April 15, 1911, *ibid.*, 286; Imperial Irrigation District to Works, Jan. 26, 1912 *ibid.*, 318.

59. "Report of the Secretary of War," *H. Exec. Doc. 1*, Part 2, Vol. II, pt. III, 44 Cong., 2 sess. (1876), 337; J. B. Lippincott, "Report on the Lower Colorado River" (1904), pp. 82A-83 (copy in Imperial Irrigation District Library); House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H. R. 6044 and H.R., 11553," 66 Cong. (1920), 572, 128. In 1911 Judge F. C. Farr and C. K. Clarke, the latter a construction engineer, argued for a "high line canal" connecting the valley with the river and bringing water "through a steel tunnel through the sand hills." They believed that the canal's cost could be met largely through the sale of hydroelectric energy developed along the canal. *Imperial Enterprise*, Sept. 15, 1911.

60. First reference in the district's minutes to "friction" between the two receivers which threatened to lead to a water shortage appeared on January 24, 1912. (Imperial Irrigation District Board of Directors, Minutes [Jan. 24, 1912], I, 28.) On February 28, the board discussed the possibility of surveying a "permanent supply canal line" (I, 33), and, on March 12, it asked J. Chester Allison to gather data on reconstructing the Alamo canal, on constructing a "New High Line Canal (the so-called Rockwood Survey)," and on building a canal from Laguna Dam to the intake then being used (I, 35). On March 23, the board instructed its secretary to ask Rockwood for any information he had on an "All American line" (I, 38). Rockwood said he had no data (April 2, 1912, I, 40). For the district's negotiations with the railroad for the irrigation system, see the board's minutes, *passim*. See also Dowd, "History of the Imperial Irrigation District," 99-110, *passim*; Tout, *First Thirty Years*, 119, 137.

61. Phil D. Swing, "The Struggle for Boulder Dam," 60-61, Phil D. Swing Papers, box 35, University of California, Los Angeles; Imperial Irrigation District Board of Directors, Minutes (Oct. 13, 1915), II, 70-73, 80-83; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," p. 367; Tout, *First Thirty Years*, 121, 131, 151.

62. Rose obtained authorization to investigate the possibility of constructing the canal entirely within the United States or partly in Mexico. Franklin K. Lane to Mark Rose, July 6, 1917, box 488, IID Papers; see also House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 369-374; U.S. Dept. of the Interior, *Seventeenth Annual Report of the Reclamation Service, 1917-1918* (Washington, D.C., 1918), 381-382.

63. Imperial Irrigation District Board of Directors, Minutes (Dec. 19, 1916), II, 250, (Dec. 23, 1916), II, 252, (Nov. 13, 1917), III, 92; Swing, "The Struggle for Boulder Dam," 61, Swing Papers; *El Centro Progress*, Nov. 11, 1917.

64. House Committee on Irrigation of Arid Lands, "Hearing on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 23, 27, 124-125, *passim*; Dowd, "History of the Imperial Irrigation District," 111-115, 117. On November 1, 1911, the district decided to approach the Reclamation Service about obtaining water from Laguna Dam. Imperial Irrigation District Board of Directors, Minutes (Nov. 1, 1911), I, 17.

65. Imperial Irrigation District Board of Directors, Minutes (Jan. 14, 1918), III, 115-116, (Feb. 5, 1918), III, 124-126; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 228-229, 541; U.S. Dept of the Interior, *Seventeenth Annual Report of the Reclamation Service, 1917-1918*, p. 382; Walter B. Kibbey to Edward C. Finney, April 23, 1920, box 488, IID Papers.

66. The vote was 2535 to 922. Imperial Irrigation District Board of Directors, Minutes (Jan. 27, 1919), III, 262-264. See also All-American Canal Board, "Preliminary Report" (Dec., 1918), box 477, IID Papers; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 44, 228-234; House Committee on Irrigation and Reclamation, "Hearings on Protection and Development of Lower Colorado River Basin, H.R. 2903," pp. 1782-1783; Tout, *First Thirty Years*, 348.



67. Imperial Irrigation District Board of Directors, Minutes (Dec. 24, 1918), III, 249, (Jan. 27, 1919), III, 264. Though opposed to the canal, Chandler told Secretary of the Interior Franklin Lane that he favored storage because it would be in his "interest as well as in that of the . . . Imperial Valley." He even volunteered to contribute to the cost of flood control. "If there was any burden cast upon the United States by the development of the Colorado River," he informed Lane, "the lands south of the line to the extent of two hundred and fifty thousand acres would stand their proportion of the expense." Franklin K. Lane to A. P. Davis, April 29, 1919, Bureau of Reclamation Papers.

68. Imperial Irrigation District Board of Directors, Minutes (March 11, 1919), III, 279-280; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys. Calif., H.R. 6044 and H.R. 11553," pp. 17, 386.

69. *Tucson Citizen*, Jan. 22, 1918; Phil Swing, "The Struggle for Boulder Dam," 27, 35-36, 60-61, Swing Papers; Imperial Irrigation District Board of Directors, Minutes (May 6, 1919), III, 298-301; Tout, *First Thirty Years*, 114, 124, 257.

70. Imperial Irrigation District Board of Directors, Minutes (May 6, 1919), III, 298-301; "Notes on Meeting of Imperial Irrigation District, Sept. 16, 1919," box 486, IID Papers.

71. J. C. Allison and F. S. Lack to Imperial Irrigation District, July 2 and 22, 1919, box 486, IID Papers; see also the minutes kept by the valley's lobbyists in box 486, IID Papers.

72. For the earlier bills introduced by Kettner, Randall, and Hayden, see *Cong. Rec.*, 65 Cong., 3 sess. (Feb. 3, 1919), 2647, (Feb. 7, 1919), 2934, (Feb. 18, 1919), 3738, 66 Cong., 1 sess. (May 19, 1919), 22, 24, (May 27, 1919), 309.

73. *San Diego Union*, Nov. 17, 1917; *Tucson Arizona Daily Star*, Jan. 20, 1918. See also R. B. von KleinSmid, "The League of the Southwest: What It Is and Why," *Arizona, the State Magazine*, XI (May 1920), 5. Significantly, the most outspoken League advocate of Colorado River development at the early meetings was C. E. Grunsky, a consulting engineer and former member of the Isthmian Canal Commission who had acquired most of his knowledge about the stream while helping Imperial Valley developers combat floods.

74. Salt Lake City *Deseret Evening News*, Jan. 18, 20, and 21, 1919; *Salt Lake [City] Tribune*, Jan. 18 and 19, 1919.

75. *Cong. Rec.*, 66 Cong., 1 sess. (1919), 1258; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," p. 8; House Committee on Flood Control, "Hearings on Colorado River Survey, Imperial Valley Project, H.R. 3475," pp. 17-18; Tout, *First Thirty Years*, 124. In his reminiscences, Swing nods when he suggests that all along he favored a bill providing for both storage and the canal. Swing, "The Struggle for Boulder Dam," 48, Swing Papers. See also Swing to W. F. McClure, Sept. 20, 1919, Papers of the California State Engineer, Roll M-612, California Dept. of Water Resources Archives, Sacramento.

76. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal for Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 142, 94 *passim*. See also Swing, "The Struggle for Boulder Dam," 62, Swing Papers; House Committee on Flood Control, "Hearings on Colorado River in Arizona," 4-5.

77. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal for Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 48-50, 94, 287. Hayden eventually drafted a bill which reflected his desires on these and other points. *Ibid.*, 265-269. See also Thomas E. Campbell to Franklin K. Lane, Feb. 21, 1919, Bureau of Reclamation Papers.

78. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial County, Calif., H.R. 6044," pp. 48, 262, 37.

79. *Ibid.*, 127, 116.

80. *Ibid.*, 7, 142-143, 551.

81. All-American Canal Board, *Report*, 64.

82. Swing agreed to the storage amendment even before the All-American Canal Board issued its final report. The board's preliminary report, issued in December 1918, also called

for storage. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal for Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 162, 8, 234, 282-283; House Committee on Flood Control, "Hearings on Colorado River Survey, Imperial Valley Project, H.R. 3475," pp. 15, 20, 22; "Notes on Meeting of Imperial Irrigation District, Sept. 16, 1919," box 486, IID Papers.

83. Robert Lansing to Moses Kinkaid, Aug. 20, 1919, file 711.1216M/475, State Department Papers.

84. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 9-10, 421.

85. *Ibid.*, 290.

86. *Ibid.*, 299, 302, 296, 303; Thomas Yager to Moses Kinkaid, Aug. 26, 1919, file 711.1216M/478, State Department Papers; Mark Rose to Moses Kinkaid, Aug. 28, 1919, *ibid.*

87. Imperial Irrigation District to House Committee on Arid Lands, Jan. 30, 1920, box 491, IID Papers; Elwood Mead to W. F. McClure, Sept. 29, 1919, Papers of the California State Engineer; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 363-364, 438-488, *passim*.

88. Imperial Irrigation District Board of Directors, Minutes (Sept. 16, 1919), III, 354; F. H. McIver to Moses P. Kinkaid, Sept. 22 and Oct. 14, 1919, box 486, IID Papers.

89. *Cong. Rec.*, 66 Cong., 2 sess. (1920), 1204; House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," pp. 412-413, 418, 429-430, 488, *passim*.

90. Robert Lansing to Moses Kinkaid, Jan. 17, 1920, file 711.1216M/481, State Department Papers.

91. House Committee on Irrigation of Arid Lands, "Hearings on All-American Canal in Imperial and Coachella Valleys, Calif., H.R. 6044 and H.R. 11553," p. 589.

92. *Ibid.*, 574; Imperial Irrigation District to Charles McNary, April 8, 1920, box 486, IID Papers.

93. *Cong. Rec.*, 66 Cong., 2 sess. (1920), 7360.

94. "Problems of the Imperial Valley and Vicinity," *S. Doc. 142*, 67 Cong., 2 sess. (1922), 21.

95. *Cong. Rec.*, 67 Cong., 2 sess. (1922), 5929, 5985.

96. Nevadans also realized early the power possibilities of the Boulder Canyon area. In 1909 Henry C. Schmidt, a Tonopah businessman, filed an application with the federal government to build a power dam at Boulder Canyon. At the time he was unable to generate sufficient support for his plan. "Hoover Dam Documents," 80 Cong., 2 sess., *H. Doc. 717* (1948), 10; Russell R. Elliott, *History of Nevada* (Lincoln, 1973), 275.

97. As early as 1912 Los Angeles had evinced interest in the Colorado, though it did not formally register its intentions until August 30, 1920, when the city council, worried about an imminent shortage of electricity, passed a resolution urging "the development of the Boulder Canyon Reservoir by the United States Government, or, if that be not provided for, then by the city of Los Angeles." See "The Colorado River" (1912), Papers of the Los Angeles Dept. of Water and Power, file 360, Colorado River; "Problems of the Imperial Valley and Vicinity," 282-283.

98. Swing to Mrs. A. P. Davis, July 4, [1933], Davis Papers; Swing to A. P. Davis, Jan. 9, 1929, *ibid.* Cf. Moeller, *Phil Swing and Boulder Dam*, 149. When Secretary of the Interior Hubert Work dismissed Davis as director of the Reclamation Service in 1923, others carried on his work for the Boulder Canyon project. Davis did not live to see the great dam, for he died in 1933, three years before its completion.

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Photographs supplied by the author. Photo of flood at Calexico courtesy Harry T. Cory Collection, Department of Special Collections, Research Library, University of California, Los Angeles.

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## Buffoons and Brave Hearts: Hollywood Portrays the Russians, 1939-1944

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DURING THE SECOND WORLD WAR, more than half the population of the United States went to at least one movie a month; over a third attended at least one a week. An average feature film reached more people than any single book, newspaper, or magazine.<sup>1</sup> With many families rent asunder, the war-bloated economy increasing the resources workers could devote to entertainment, and gasoline and rubber rationing curtailing pleasure excursions, movies represented one of America's most important recreational diversions.

Social scientists attest to the power of the motion picture to affect viewers' attitudes, opinions, and images.<sup>2</sup> Whether it was the decline in the sales of undershirts attributed to the electric moment when Clark Gable revealed he was a non-user in *It Happened One Night* or the development of stereotypes of Chinese people from Charlie Chan and Fu Manchu movies, the Hollywood film industry exerted an enormous influence on American life. Its products were especially important in portraying the rest of the world to the insular and isolated nation that was the United States before 1945. Undoubtedly, Hollywood's depiction of the Soviet Union during the Second World War affected the way Americans conceived of their strange new ally, and the popular impression of Russia in America contributed to the climate of opinion in which wartime diplomacy was formulated. Thus, despite the unorthodox nature of the source, the motion picture must be examined by the historian interested in the development of Russian-American relations during the war.<sup>3</sup>

Generally, wartime Hollywood films which dealt with international conditions were simplistically one-sided; bestial Nazis and subhuman Japanese devoutly plotted against plucky Englishmen, lovable Russians, and homespun Amer-

NOTE: The author is grateful to the American Council of Learned Societies and the Center for Advanced Study in the Behavioral Sciences, Stanford, California, for providing a year's time to think about such esoteric things as movies. At the center in 1969-70 was David Donald, whose shrewd suggestions and comments were helpful in preparing this article.



icans.<sup>4</sup> For a time, however, Russians were placed in the opposing camp, where they were often caricatured as boors or buffoons. As in all other aspects of the Russian-American relationship during World War II, there were two Russias: the pre-June, 1941, treacherous signatory of the Non-Aggression Pact with Germany and brutal invader of Finland, and the post-June, 1941, courageous ally in the struggle against the Nazi scourge.

While scores of Hollywood productions mentioned Russia or communism in passing, a handful of films explicitly concerned themselves with the country, people, or political-economic system. In a broader discussion, one might call attention to a remake of *Beau Geste* which was released in August of 1939. In this version, the two villains, originally Belgian and Italian, became the Russians Rasnoff and Markoff. But to trace all such relatively petty, and perhaps subliminal, inputs would be a difficult, if not impossible, task.

As for the major films, one of the biggest commercial and artistic successes of the war was *Ninotchka*, starring the reigning movie queen, Greta Garbo, in the title role and Melvyn Douglas as the capitalist-hero.<sup>5</sup> Directed by the respected Ernst Lubitsch and opening at New York's prestigious Radio City Music Hall in November of 1939, the film poked fun at stuffy, unfashionable Russians in gay Paris. Since the world had just witnessed Stalin's purges and the Non-Aggression Pact, *Ninotchka* probably only added to an already dark image. Certainly the satire had bite, as when *Ninotchka* commented: "The last mass trials were a great success. There are going to be fewer but better Russians."<sup>6</sup> But the Russians were treated more as buffoons than beasts. In this very popular film, the unsophisticated Russian bumpkins could scarcely be taken seriously as a world power. Indeed, this portrayal of the Soviet system reinforced the common American stereotype that communism was a failure because it failed to produce either sensitive human beings or modish clothing. Many who predicted that Russia would never survive the first onslaught of Hitler's legions were probably influenced by this sort of caricature. It is instructive to note that the most important film dealing with Germany in the same year, 1939, was *Confessions of a Nazi Spy*, a serious melodrama depicting the Germans as formidable enemies.

Of course, one can argue that satire is more effective in shaping attitudes than blunt message pictures.<sup>7</sup> When critics like Senator Bennett Champ Clark of Missouri and journalist John T. Flynn complained to a Senate committee that Hollywood produced anti-Nazi films but no anti-Russian films, Nicholas Schenck of Loews leaped to his industry's defense by pointing to *Ninotchka*. He even confided to the committee that the release of the devastating satire caused the humorless Russians to abrogate a caviar importation contract with one of Schenck's subsidiaries. After the war, Louis B. Mayer of Metro-Goldwyn-Mayer reported that the film cost his company a lucrative exchange arrangement with the Russian government.<sup>8</sup>

Following *Ninotchka* into the Music Hall along with the big Christmas show was *Balalaika*, starring Nelson Eddy and Ilona Massey. An apolitical musical, the film was a flimsy, mindless extravaganza about Cossacks and royalty. Most likely, audiences found little to associate with contemporary Russia. Even less artistic was *Ski Patrol*, which opened in May of 1940 and tried to cash in on the Russo-Finnish war. This low budget "B" film, starring little-known Philip Dorn



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*In the popular Ninotchka released in November, 1939, Greta Garbo chastised her weak-minded and silly comrades (above) for forgetting their communist discipline amid the luxuries of Paris. However, while exploring the romantic city with a gay capitalist rake, played by Melvyn Douglas (right), the humorless communist awakened to the personal joys of a frivolous hat and a sophisticated beau.*



Metro-Goldwyn-Mayer Collection



Metro-Goldwyn-Mayer Collection

and Luli Deste, depicted heroic Finnish skiers fighting for freedom against the Russian hordes. (Late in 1941 after Russia became an ally, John T. Flynn told Senate investigators that *Ski Patrol* was "no good any more, because then Russia was an enemy crushing Little Finland." He added, "I suppose we will get a picture now of Finnish soldiers beating up some of Uncle Joe's relatives.")<sup>9</sup>

After *Ski Patrol*, in an incredible flurry of activity, the studios turned out three pictures which best could be described as "Sons of *Ninotchka*." *He Stayed for Breakfast*, starring Melvyn Douglas, formerly of *Ninotchka*, and Loretta Young, opened in New York at the end of August, 1940. This time, Douglas was the Communist and the female lead the capitalist. A silly plot saw the hero fleeing the Parisian police, hiding in a glamorous woman's apartment, and eventually renouncing "Communism [which is] a government without people," according to Miss Young.<sup>10</sup> Even more artless was *Public Deb #1* which graced the screens the next month. In this film, a young heiress was indoctrinated by her Communist butler, Mischa Auer, and it took the love of George Murphy and the invasion of Finland to bring her back to capitalism. Critic Bosley Crowther of the *New York Times*, however, felt the picture painted such an unpleasant picture of café society (Elsa Maxwell played herself) that it may have enhanced the Russian image.<sup>11</sup> Finally, there was *Comrade X*, starring Hedy Lamarr and Clark Gable. Opening in December of 1940, this satire, according to one reviewer, took "malicious delight" in running down the Soviet system.<sup>12</sup> The plot involved an American who fell in love with a Russian woman streetcar conductor, convinced her of the evils of her country, and fled with her to the free world. This was to be the last of the anti-Soviet films for several years.

It is surprising that more "serious" films such as *Ski Patrol* were not produced, but the celluloid criticisms of Russia, however sweeping, were made almost exclusively in comedies. They were never as poignant, for instance, as the Robert Sherwood play *There Shall Be No Night*, which was never made into a movie. Perhaps, as Dalton Trumbo, one of the "Hollywood Ten" who were accused after

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In *Public Deb #1*, Hollywood film makers portrayed a pro-Stalin parade and its interruption (far left) as a moment of high comedy. Equally critical was newspaperman Clark Gable in 1940's *Comrade X* (left). With reason and the force of love on his side, he convinced streetcar conductor Hedy Lamarr to flee to the free world.



the war of subversive activities, wrote in the *Daily Worker*, while he and his fellow-travelers in the studios were not successful in helping to sell Russia to the West, they were able to keep the most virulent anti-Communist stories from the screens.<sup>13</sup>

As could be expected, after Hitler invaded the Soviet Union, the climate of American opinion regarding the Russians changed suddenly. American newsreels began to feature the stirring story of brave Russian resistance to Nazi aggression, one of the first bright spots for the democracies since 1939. During the forties, of course, most motion picture theatres offered newsreels with all of their presentations and theatres devoted exclusively to newsreels existed in many large cities.<sup>14</sup> In early 1943, *The March of Time*, a series shown in 11,000 of the 17,000 American movie houses, presented *A Day of War*, a well-made Russian documentary on events which transpired on a typical day in the wartime Soviet Union. Up to this point, American exhibitors had not used many Russian films.<sup>15</sup>

More important and popular than newsreels were the feature length films from Hollywood, and here we find a curious relationship between the industry and the motion picture bureau of the Office of War Information (OWI). Hollywood producers wanted to make films which contributed to or at least did not detract from the war effort, and they petitioned the bureau for guidelines and directions.<sup>16</sup> By the end of 1942, at the request of the bureau, the studios began submitting their film scripts to Washington, D.C., for correction and commentary. As for the films dealing with Russia, on at least two occasions scripts were sent directly to the Russian embassy in the capital.<sup>17</sup> There, a cultural attaché, Victor Bazykin, made relatively minor suggestions concerning the authenticity of Russian names, customs, and terrain. The absence of any major criticism from Bazykin indicates official Russian approval of the way Hollywood portrayed the Soviet Union.

The motion picture bureau of OWI (along with "technical consultants" in the Russian embassy), therefore, operated as an informal censor, although it preferred to consider itself a friend and advisor to Hollywood.<sup>18</sup> And, in general, the producers and writers eagerly accepted its advice. This spirit of free and easy cooperation resulted, in part, from their decision not to make anti-Russian films in 1943 and 1944.<sup>19</sup> Whether they behaved in this manner because they were sympathetic to Russia or because they coveted OWI contracts for government information films is difficult to say. What was clear, however, was that Hollywood's treatment of Russia would positively contribute to Allied unity.

The most famous film made about Russia during the war was *Mission to Moscow*, a faithful adaptation of former American Ambassador Joseph E. Davies' memoirs. According to one advance story, this Warner Brothers production had the largest advertising budget for any film up to that date, including *Gone with the Wind*.<sup>20</sup> As things turned out, it needed all the advertising it could get, for it was not a very good film. Starring Walter Huston, Ann Harding, and a group of excellent character actors, *Mission to Moscow* was a long, relatively lifeless paean to the Soviet Union. James Agee, the distinguished movie critic, considered the film a simple case of pamphleteering.<sup>21</sup> Appearing in the semi-documentary were an appeasing British ambassador, who took on arch villain

status, kindly old President Kalinin, gracious Russian officials, jolly Muscovites, and even a benign Joseph Stalin.

Had it not been so tedious, *Mission to Moscow* could have considerably affected those who saw it. At the start, Davies appeared on the screen to introduce the film and, thus, to legitimize its documentary nature. Viewers could then conclude that they were seeing vignettes from Russian history in 1937 and 1938 as they actually happened. The anti-Russian British diplomat, a caricature of an effeminate Englishman, no doubt compelled many Americans to support whatever cause such a specimen opposed. Moreover, the inclusion of a charming skating party and the suggestion of a romance between a dashing Russian officer and Davies' daughter made the Communists appear likeable and human. Above all, Davies' interpretation of the purge trials as a just Russian judicial system dealing with traitorous Nazi and Japanese spies seemed authentic. These sequences, with all of the Trotskyite conspirators named, appeared like a trustworthy news-reel to many viewers.<sup>22</sup>

In the last analysis, *Mission to Moscow* most likely convinced those who were prepared to be convinced of Russian good intentions, but it was so one-sided that it alienated sophisticated audiences who would never trust the Communists. And, of course, much of its impact was weakened by the controversy it spawned. The film made nationwide headlines for several months even before it was released. Thus, many audiences were already on their guard.

Ann O'Hare McCormick, the New York *Times* chief foreign correspondent, thought the film so important that she devoted an entire column to debunking it. Letters poured into the *Times* on both sides of the question, and the New York City Transportation Board got into the act by banning *Mission to Moscow* advertisements from subways and elevated trains.<sup>23</sup> All this hoopla did not signify universal interest, however, for the film was a disappointment at the box office.<sup>24</sup> Of course, the Russians themselves were pleased with it. In a special tribute to the producer of *Mission to Moscow*, they named a heroic American newsman in one of their own war films "Jack Warner."<sup>25</sup>

In lengthy testimony before the House Un-American Activities Committee in 1947, Warner avowed that the uncritical *Mission to Moscow* was made in the same spirit as *Destination Tokyo*—to help the American war effort. He said that he was not pressured into making the film and that, as far as he was concerned in 1943, *Mission to Moscow* was not an inaccurate portrayal of Russian history. Of course, the producer pointed out, he knew very little about the Soviet Union and thus had no reason to doubt the testimony of an expert like Davies.<sup>26</sup>

Surprisingly, few observers took issue with the next-appearing Soviet-oriented American film, *Battle of Russia*, a "Why We Fight" film made for the Army by Lt. Frank Capra. Released to the general public in 1943, this documentary outlined the history of the Russian people's fight for freedom from the twelfth century to the twentieth. Critic Bosley Crowther found it a brilliant piece of documentary film-making, full of "grim and moving scenes." As prepared for the soldiers, the original film included a note about the Soviet absorption of the Baltic countries and Bessarabia, as well as the Finnish unpleasantness, but these qualifications were deleted from the commercial version.<sup>27</sup>



After Russia became an ally, Hollywood presented the former villain from a favorable, people-are-all-the-same perspective. *Song of Russia* depicted a homey view of peasant life in a war-torn country (above) and even featured a romance between a Russian girl and an American symphony conductor, played by Robert Taylor (above left). In *Days of Glory* guerilla fighters and actress Tumanova (left) appeared as courageous defenders of world-wide democracy.

Ambassador Joseph E. Davies' memoirs of his diplomatic experiences in 1937 and 1938 served as the inspiration for the semi-documentary *Mission to Moscow*. The film portrayed the ambassador receiving a near-royal welcome in Russia (below) and included a dramatically-staged meeting between Davies and Stalin (opposite page) under the gaze of a benevolent Karl Marx.





Likewise, only a minority protested the 1943 adventure story, *North Star*, which lionized Russian partisans. Starring Eric von Stroheim as an evil German doctor and a cast which included Walter Brennan, Walter Huston, Ann Baxter, Ann Harding, Dean Jagger, and Dana Andrews, the film portrayed the events which followed the Nazi takeover of a simple Russian village,<sup>28</sup> including the Russian's scorched-earth offensive and children fighting as guerrillas against the insanely cruel German occupiers. With Aaron Copland orchestrating the score, and accomplished authoress and good friend of the Soviet Union Lillian Hellman writing the screenplay, *North Star* could hardly not have been a success. It opened, in fact, at two major New York theaters simultaneously. While the Legion of Decency later found *North Star* "objectionable" because of the wanton killing of Germans, especially the villainous doctor who was dispatched without due process of law,<sup>29</sup> Samuel Goldwyn of MGM maintained that the film simply showed that Russians were very much like Americans: Walter Brennan, for example, played the "homespun, earthy philosopher . . . [who had a] counterpart in every American town."<sup>30</sup>

1944 saw Hollywood issue three first-run films in this same genre—*Three Russian Girls*, *Song of Russia*, and *Day of Glory*. *Three Russian Girls*, which opened in February, was an American version of the Russian film, *The Girl From Leningrad*. Kent Smith and Anna Sten starred in this romance about a nurse at the front and her love for a handsome patient. The *Times* critic felt it was the best film about nurses to come out of the war.<sup>31</sup>

A week later, *Song of Russia* opened in New York with an all-star cast headed by Robert Taylor, Susan Peters, Robert Benchley, and John Hodiak. A musical "scored" by Tchaikovsky, the film told the story of an American symphony conductor's marriage to a Russian girl and the trials and tribulations of their war-



Academy of Motion Picture Arts and Sciences Collection

time romance. Played against the background of fighting Russia, this well-made feature offered pleasant vistas of life in the land of the Communist ally.

After the war, *Song of Russia*, which was written, in part, by an alleged Communist, was singled out as one of the most blatantly propagandistic movies of the period. In 1947, a defensive Louis B. Mayer told the House Un-American Activities Committee that he considered the film a harmless musical which could have taken place in Switzerland or England. It was set in Russia only to offer "a pat on the back for our then-ally, Russia." Mayer compared *Song of Russia*—which he continually stressed was not *meant* to be propaganda—to *Mrs. Miniver*, a feature which offered besieged England a pat on the back. Robert Taylor, obviously embarrassed over what he now thought was a Communist plot, told the congressmen that he had objected to making the film, and he also claimed that Lowell Mellett of the Office of War Information was deeply involved in its production. As an expert "witness for the prosecution," Ayn Rand was called to give her impressions. A Russian emigré, the philosopher-novelist explained that *Song of Russia* was so full of propaganda that it "made me sick," for it portrayed a happy, well-fed, religious Russia which never existed.<sup>32</sup>

The final pre-Yalta Hollywood film featuring Russian characters was a low-budget RKO production entitled *Days of Glory* which opened in June of 1944. With a young and relatively unknown Gregory Peck and Russian actress Tamara Toumanova, the film was a grim study of guerrilla fighters and the love affair between Peck and a ballet dancer. Realistic war scenes which transcended a weak script left few eyes dry, as most of the cast was slaughtered before the finale.

That the Russians were well served by Hollywood from 1941 through 1944 is underscored by the fact that they wanted to decorate the producers of *Mission to Moscow* and *North Star*, as well as Edward G. Robinson who had narrated a Russian documentary.<sup>33</sup> During the war, they also exchanged films with America. While they were interested primarily in such harmless fripperies as *It Happened One Night* and *In Old Chicago*, they did import *Mission to Moscow*, *Song of Russia*, and *North Star*. According to the *New York Times* correspondent, *North Star* was especially popular in Siberia, where it played to 50,000 people in one theatre over a twenty-day period.<sup>34</sup>

At the same time, it is highly doubtful that a conspiracy existed between Communist directors or writers and Moscow or even Washington. The best study of the issue, John Cogley's *Report on Blacklisting*, shows that there is little evidence that Comintern agents produced films made in Hollywood during the war.<sup>35</sup> That the studios saluted the Russian ally is not surprising, for if Soviet communism and purges were tucked under the rug for the duration, so too were British arrogance and imperialism, French appeasement, and presumed Chinese sloth.<sup>36</sup>

Millions of Americans who went to the movies every week during World War II saw feature films, documentaries, and newsreels about the Soviet Union, her armies, and her people. From 1939 through late 1940, Hollywood produced several films, which, while not very flattering to the Russians, were never as hostile as such anti-Nazi epics as *Confessions of a Nazi Spy*. After the summer of 1941, few films exhibited anything unfavorable about the Soviet system and people, and most emphasized the Russians' love for democracy and fierce brav-

ery in the face of overwhelming odds. *North Star* and *Song of Russia*, two of the three major releases on the subject in 1943 and 1944, could not but impress their viewers.

Public opinion polls tell us that Americans became increasingly friendly towards the Soviet Union during this period,<sup>37</sup> and Hollywood undoubtedly had something to do with this shift in attitudes.<sup>38</sup> Naturally, popular attitudes toward Russia—affected by movies as well as other media, events, and government pronouncements—created a mood in the United States which affected policy decisions of late 1944 and early 1945. As President Roosevelt and his colleagues journeyed to Yalta, they could rest assured that the majority of their countrymen shared their views about the possibility and desirability of cooperation with the Russians in making the peace. Like other industries in wartime America, Hollywood did its part. And like other industries, Hollywood would soon join the Cold War battle with contributions such as *I Was A Communist for the FBI* and *All My Sons*.<sup>39</sup> By the early fifties, the pleasant images of *Song of Russia* and *North Star* were almost completely forgotten as Hollywood atoned for its fellow-traveling with scores of one-dimensional exposés of the “Communist Menace.” Perhaps the motion picture image-makers of today will resurrect the heroic partisan as a more fitting symbol of the emerging Soviet-American detente and demonstrate again Hollywood’s adaptability to changing times.

## NOTES

1. Hadley Cantril, *Public Opinion, 1935-1936*, 4870 (Princeton, 1946); Leo A. Handel, *Hollywood Looks At Its Audience*, 95-96 (Urbana, 1950).

2. For the impact of motion pictures on opinions and attitudes, see Herbert Blumer, *Movies and Conduct*, 140-51 (New York, 1933); Harold R. Isaacs, *Scratches on Our Minds*, 119-20 (New York, 1958); Carl Hovland, “Effects of Mass Media of Communication,” in Gardner Lindzey (ed.), *Handbook of Social Psychology*, II, p. 1066 (Reading, Mass., 1954); Carl Hovland, Arthur A. Lumsdaine, and Fred D. Sheffield, *Experiments on Mass Communication*, 266-75 (Princeton, 1949); Melvin Small, “Motion Pictures and the Study of Attitudes,” in *Film and History*, 2:1-6 (1972).

3. Thanks to the television “late show,” the author has seen (albeit in truncated versions) five of the movies under discussion: *Ninotchka*, *Comrade X*, *Mission to Moscow*, *North Star*, and *Days of Glory*. For information on the others, he has had to rely on reviews in newspapers and magazines. Helpful here is *The New York Times Film Reviews* (New York, 1971).

4. Bosley Crowther, “The Movies,” in Jack Goodman (ed.), *While You Were Gone*, 516 (New York, 1946); Dorothy B. Jones, “Hollywood War Films,” in *Hollywood Quarterly*, 1:1-20 (October, 1945); David Manning White and Richard Averson, *The Celluloid Weapon: Social Comment in the American Film*, 90-91 (Boston, 1972); Charles Higham and Joel Greenberg, *Hollywood in the Forties* (New York, 1968); Lewis Jacobs, “World War II and the American Film,” in *Film Culture*, 47:28-42 (Summer, 1969).

5. Exact box-office statistics for the war years are inaccessible or, as this author was told by an official of Metro-Goldwyn-Mayer, “the records containing such information are so old they are no longer available.” Letter to author from Frank E. Rosenfelt, Secretary of MGM, March 29, 1968.

6. *New York Times*, November 10, 1939, p. 27.

7. *Ninotchka* was reshown in Italy in 1948 where it was alleged to have adversely affected the Communist vote. Arnaldo Cortesi and “Observer,” “Two Vital Case Histories,” in Lester Markel (ed.), *Public Opinion and Foreign Policy*, 200 (New York, 1949).



8. United States Senate, Committee on Interstate Commerce, *Propaganda in Motion Pictures*, 77 Cong., 1 sess., pp. 71, 120, 331-32 (Washington, 1942); United States House of Representatives, Committee on Un-American Activities, *Hearings Regarding the Communist Infiltration of the Motion Picture Industry*, 80 Cong., 1 sess., 76 (Washington, 1947).

9. *Propaganda in Motion Pictures*, 120.

10. *New York Times*, August 31, 1940, p. 16.

11. *Ibid.*, September 18, 1940, p. 19.

12. *Ibid.*, December 26, 1940, p. 23.

13. *Hearings Regarding the Communist Infiltration*, 114.

14. It is true, however, that some people tired of newsreels. Donald Slesinger, "The Film and Public Opinion," in Douglas Waples, *Print, Radio, and Film in a Democracy*, 92-93 (Chicago, 1942).

15. Margaret Thorp, *America at the Movies*, 21 (New Haven, 1939); *New York Times*, January 24, 1943, sec. II, p. 3.

16. See for example, Walter Wanger (Universal Pictures) to Gardner Cowles, Jr. (OWI), June 30, 1942, Records of the Director, Box 3, Office of War Information Files, RG 208, Federal Records Center, Suitland, Maryland. But Wanger did not approve of the way the OWI implemented his suggestions. Wanger, "OWI and Motion Pictures," in *Public Opinion Quarterly*, 8:100-10 (Spring, 1943).

17. For information on the Russian embassy's role as technical advisor to *Song of Russia* and *North Star* see entry 264, Lillian Hellman folder, Box 1433B; Lowell Mellett (Chief of Motion Picture Bureau) to Samuel Goldwyn (MGM), January 20, 1943, Box 1433B; Victor Bazykin to Mellett, January 9, 1943, Box 1431; and Mellett to Maurice Revnes (MGM), December 31, 1942, Box 1440, OWI files.

18. On the bureau as a censor, see the exchange between Mellett and Roger Baldwin (ACLU), December 24, 1942, December 29, 1942, Box 1431, entry 264, OWI files.

19. One minor incident arose when *Confessions of a Nazi Spy* was reissued in 1943 with a revised ending which had been made in 1940. This ending referred briefly to the Russian invasion of Finland. When Mellett apprised Jack Warner of this transgression, the movie was withdrawn from circulation. Mellett to Warner, March 27, 1943, Warner to Mellett, March 29, 1943, Box 1443, entry 264, OWI files.

20. *New York Times*, March 8, 1943, p. 25.

21. James Agee, *Nation*, 156:749-50 (May 22, 1943). See also Jones, "Hollywood War Films," 7.

22. Prior to the film's release, concern was evinced by the OWI that American supporters of Trotsky might be offended by its characterization of the former leader. John Dewey to Mellett, Mellett to Dewey, September 24, 1942, October 5, 1942, Box 1433, entry 264; Mellett to Elmer Davis, September 9, 1942, Records of the Director, Box 3, Motion Pictures 1942, OWI files. Some of the "facts" presented by Hollywood were anachronistically incorrect. John Chamberlain, *America's Second Crusade*, 245 (Chicago, 1950). See also John L. Gaddis, *The United States and the Origins of the Cold War 1941-47*, 44-45 (New York, 1972).

23. *New York Times*, May 8, 1943, p. 14; May 9, 1943, sec. IV, p. 8; May 16, 1943, sec. IV, p. 12; May 25, 1943 p. 14; June 13, 1943, p. 3; May 28, 1943, p. 4. The Boston City Council asked the Mayor to ban it outright. *New York Times*, May 16, 1943, p. 24.

24. Crowther, "The Movies," 516. *Hearings Regarding the Communist Infiltration*, 35. Still, 11 per cent of those polled in 1943 reported they saw the film. Cantril, *Public Opinion, 1935-1946*, 485.

25. Paul Babitsky and John Rimberg, *The Soviet Film Industry*, 261 (New York, 1955). According to some observers, the Russian leadership found Davies' version of their own recent

history to be rather amusing. Cyrus L. Sulzberger, *A Long Row of Candles*, 213 (New York, 1969); Alexander Werth, *Russia at War 1941-45*, 617 (New York, 1965).

26. *Hearings Regarding the Communist Infiltration*, 10, 33.

27. *New York Times*, November 15, 1943, p. 23.

28. According to a 1943 poll, Americans chose their movies primarily because of the cast. Handel, *Hollywood Looks at Its Audience*, 36.

29. *New York Times*, November 8, 1943, p. 24.

30. *Ibid.*, April 4, 1943, sec. II, p. 3.

31. *Ibid.*, February 5, 1944, p. 13.

32. *Hearings Regarding the Communist Infiltration*, 71, 72, 166, 167, 83-84. Arguing that the film was important for the war effort, Mellett convinced the Navy to extend Taylor's leave. Mellett to Leland Lovette (U.S. Navy public relations), May 1, 1943, Box 1442, entry 264. OWI files.

33. Averell Harriman (Ambassador to Russia) to Cordell Hull, January 22, 1944, February 9, 1944, United States Department of State, *Foreign Relations of the United States*, 1944, vol. IV, pp. 808, 824 (Washington, 1966).

34. Jan Leyda, *Kino*, 379-80 (New York, 1960); *New York Times*, August 27, 1944, sec. II, p. 3.

35. John Cogley, *Report on Blacklisting* (New York, 1956). See especially Dorothy B. Jones, "Communism and the Movies," 196-233. For the most part, the infamous "Hollywood Ten" were involved in innocuous, pro-American war movies and comedies which allowed little room for propaganda or distortion. See also the review of blacklisting in *Film Culture*, 50, 51 (Fall and Winter, 1970).

36. To a limited degree, Hollywood lent some of its talent to Russian war documentaries which proved to be popular in this country. Walter Huston, Edward G. Robinson, Edward R. Murrow, Brian Donlevy, and Quentin Reynolds did the English narration for the excellent Russian-made full-length news features, *Our Russian Front*, *Moscow Strikes Back*, *The Siege of Leningrad*, *Stalingrad*, *The City that Stopped Hitler*, and *One Inch from Victory*. See Arthur L. Mayer, "Facts into Film," in *Public Opinion Quarterly*, 8:215 (Summer, 1944). Roosevelt himself urged the American release of a Russian documentary on partisans. Roosevelt to Harriman, March 14, 1944, Elliot Roosevelt (ed.), *FDR, His Personal Letters*, vol. II, p. 1502 (New York, 1950). For his part, Representative Emanuel Celler was impressed with the Russian documentary *Justice Is Coming* and recommended it to the OWI for showing throughout America. Celler to Elmer Davis, August 7, 1944, OWI Correspondence with Congress, Box 11, Item 2, OWI files.

37. Warren B. Walsh, "What the American People Think of Russia," in *Public Opinion Quarterly*, 8:513-22 (Winter, 1944-45).

38. Naturally, the conservative Hollywood film industry, which tried to cater to public tastes, may have reflected attitudes which had been changed earlier by the events of the war. After all, no films appeared on the subject of Russo-American relations in 1941 and 1942.

39. On the general theme of changing images of Russia see the suggestive article by Les K. Adler and Thomas G. Paterson, "Red Fascism: The Merger of Nazi Germany and Soviet Russia in the American Image of Totalitarianism, 1930's-1950's," in *American Historical Review*, 75:1046-64 (April, 1970).

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# Research Uses of County Court Records, 1850-1879

## And Incidental Intimate Glimpses of California Life and Society

### Part II

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THE USES OF county court records for legal history may, at first glance, appear obvious. yet the legal history of California and the American West has received so little serious attention to date that this survey should not omit the subject. Julius Goebel, Jr., of Columbia Law School, has written that "the rich and often exciting land of the law's past . . . has become a sort of *res nullius* [the property of nobody] awaiting an occupant."<sup>84</sup> But Goebel has challenged the idea that the lay historian can "take seisin" of the "vacant acres" and contends that the lawyer alone is trained for the task. He also has blistered historians for their unconscious misuse of legal terms, for their all too common failure to master the language of the law.<sup>85</sup> Certainly the layman enters the field of legal history at peril, for he may not recognize that the language of the law, though most often English, is in truth largely a "foreign language."<sup>86</sup> Similarly, while Maitland, the great English legal historian, believed that legal history is not law, but history, he tacitly assumed that the legal historian would have thorough training in the law.<sup>87</sup>

In California the first legislature provided that "the Common Law of England, so far as it is not repugnant to or inconsistent with the Constitution of the United States, or the Constitution or laws of the State of California, shall be the rule of decision in all the Courts of this State."<sup>88</sup> Except for a few Spanish-Mexican civil law carry-overs—such as the separate and community property laws as opposed to the common law tenancy by the entirety, the law of water rights by appropriation as opposed to the common law riparian rights, and some indigenous local law, as in the law of mining—the early California statutes followed the orthodox Anglo-American form. The 1850 and 1851 practice acts and the supreme court's rules of practice prescribed the state's principal rules of judicial procedure.<sup>89</sup> But as George E. Woodbine of the Yale University history



department and law school once wrote: "In the matter of legal history, historians, and even lawyers largely, seem to forget that the law under which the people of any particular time or place live must be sought for, in the last analysis, not in what the written laws, or even the courts, *say*, but in what the courts *do*."<sup>90</sup> The records of the county courts, then, in reporting what the courts *did*, give us a good segment of the law under which the people in the respective jurisdictions actually lived.

The keystone of the California judicial structure was the man on the bench who, exercising the vast discretionary powers of his office, pronounced solemn judgment on the interests of civil litigants and on the freedom and lives of those convicted of crime. The records of the actions over which the judge presided inescapably recorded the judge's competence and character.

The pioneer justices of the peace in California differed widely from one another in training and ability, but most of them were men of above average accomplishment.<sup>91</sup> An occasional misspelling appears in their writs and orders, but they conscientiously strove to observe prescribed procedures and to uphold the authority of judicial processes.

District court judges, the cases show, were men of a good level of legal ability, on the whole, who presided over their courts with principle and integrity and with a stout, if not at times militant, resistance to all attempts at intimidation. For an excellent example of decision making by a district court judge one may look at Judge E. W. McKinstry's two lengthy opinions in *Valentine et al. v. Stewart et al.*, a complicated case concerning the specific performance of a contract relating to the sale of land, which was tried in Sonoma County in 1858.<sup>92</sup> The judge found the contract to be against public policy, and so void. Denying the plaintiff's motion for a new trial, Judge McKinstry concluded by stating,

I do not therefore think that the objection to the dismissal of the Bill, that the order was made upon a proposition of law not contained in the pleading, is a good one. So to rule, would leave it entirely in the power of the parties to a suit to invoke the great principles of public policy, or not to invoke them, as seemed most conducive to their own profit; and compel Judges to stand silently by and witness the interests of a Government sacrificed in her own Courts.<sup>93</sup>

Below his signature he added, and then crossed out, "My respect for the ingenious views of Counsel have induced me to write more than was perhaps necessary." On appeal of the decision, the supreme court found that "the learned judge . . . [had] properly dismissed the bill" and affirmed the decree.<sup>94</sup>

Embattled Judge Levi Parsons of the San Francisco district court, who tenaciously sought to maintain the authority of the regular tribunals in the face of wide-spread public criticism of the technicalities and delays (and, particularly, of what the San Francisco *Herald* called "the tenderness with which offenders are treated") exemplifies the district court judge of iron resolve and indomitable character.<sup>95</sup> In March, 1851, Judge Parsons fined and imprisoned William Walker, editor of the *Herald*, for contempt. Walker's articles had sharply attacked the court and contributed materially to the appearance of the powerful San Francisco Committee of Vigilance in June of that year. Seizing upon the words of the great English jurist, Lord Mansfield, Judge Parsons declared that, "if in pronouncing this defendant guilty, I am to bring down on my own head

the whole artillery of libels, all that falsehood or malice can invent, or that deluded people frenzied with madness can swallow, nevertheless it is my bounden duty, if I think so, to so find."<sup>96</sup> Strong efforts were made before the state legislature to impeach Judge Parsons, but he withstood all challenges.

There were, of course, exceptions to the competence of district court judges, and eminent in this category was William R. Turner of the eighth district court of the counties of Yolo, Sutter, and Yuba. Judge Turner's bitter feud with Stephen J. Field of Marysville (who later became chief justice of the California supreme court and then, for thirty-four years, served as an associate justice of the United States Supreme Court) brought the judge's rougher qualities dramatically to light. In June, 1850, Field was representing Captain John A. Sutter in a case in the Yuba County district court and had stated his exception to one of Judge Turner's rulings, whereupon the judge summarily pronounced him in contempt and fined him \$200. Field replied, "Very well," in consequence of which the judge, in "the most violent and boisterous manner," raised the penalty by stages at each rejoining "Very well," until he declared, "I fine him five hundred dollars and commit him twenty four hours—forty eight hours—turn him out of Court—I force him out of Court."<sup>97</sup> In the next few days, besides banning Field and two fellow attorneys from the court, the judge fined and jailed County Judge H. P. Haun for contempt for having released Field on a writ of habeas corpus. The supreme court, on Field's petition, directed Judge Turner to vacate his order of expulsion and to reinstate the disbarred attorneys; but the contrary judge so delayed compliance with the mandamus, stating that he would rather be impeached than comply, that the issuance of a second writ became necessary.<sup>98</sup>

On the petition of several hundred residents of Yuba County that Judge Turner be removed from office as "an unfit person" who had been guilty of "gross oppression and tyranny in office," a committee of the state assembly conducted an extensive investigation of the judge's conduct.<sup>99</sup> The assembly itself deliberated the matter at length, then voted to indefinitely postpone the charges and the testimony.<sup>100</sup> The legislature, however, had fortuitously passed a bill earlier in the session which reorganized the courts and, among other things, punitively uprooted the eighth judicial district and Judge Turner from the counties of Yolo, Sutter, and Yuba and relocated them in the isolated and then little-developed counties of Trinity and Klamath.<sup>101</sup>

Exemplary of the caliber of the county court judge was Judge J. E. Wyman of remote Humboldt County, who, in the year 1853, decided the case of *Howard v. West*, which concerned a dispute over a simple water supply system consisting of a 100-foot pipe, a barrel in a spring at one end, and a cask with a spout at the other.<sup>102</sup>

"This action," the judge wrote in a carefully drawn six-page opinion,

is in the nature of the action of trespass quare clausum fregit, and although our Statute has abolished all forms of action, and pleadings in an action, still it is as important that the pleadings should contain matters of substance as it formerly was, and there is now even a greater necessity for the defendant in his answer to set out in extenso his defence. . . . If it were sufficient for the defendant in answer to the complaint merely to plead non assumpsit, nil debet, not guilty, etc., manifest injustice must ensue. . . . The case then stands thus: If what the deft.

claims in the plaintiffs land was of a higher character than an incorporeal hereditament, it could not be established by prescription. If it was an incorporeal hereditament he could not prove it under the plea of the general issue (3 Bar. S.C. Rep. 105). If he seeks to justify the trespass by virtue of his right to the use of the water as an easement, he must set forth specially in his answer (2 Chit Pl. 495) and generally matters in justification of a trespass must be specially pleaded. [Judgment therefore was for the plaintiff.]

In this decision the judge performed his basic task of laying down the relevant legal principles and applying them to the facts of the case. Here is the judge in his primary role as trier of cases and declarer of the law.

In 1854 Judge Wyman heard the case of *Caldwell v. Eddy & Wicks*, an action for recovery on a promissory note on appeal from the Bucksport justice of the peace.<sup>103</sup> Said the judge:

The only question involved in this case is whether so much of the act entitled 'An Act Concerning Courts of Justice of this State and Judicial Officers' [Cal. Stats. (1853), 298] . . . is in contravention of the provisions of the Constitution and so far void. I approach this question fully sensible of its vast magnitude and grave importance, and in order to arrive at a correct solution of it, it may be proper to lay down a few rules and principles, which seem by long acceptance to have become universally recognised and adopted in the construction and interpretation of the fundamental as well as Statute law." After a due consideration of the legal principles involved, the judge concluded, "I am of [the] opinion that so much of the act of the legislature conferring jurisdiction on Justices Courts in actions upon contracts [in which the amount claimed does not exceed \$500] . . . is unconstitutional, and so far void.

Here is the judge in his role as lawmaker, through the interpretation and construction of statutes and in the resolution of constitutional issues. Here is a judge who, in striking down a legislative enactment, displayed the jurisprudential refinement of serious concern for the consequences of his holdings. In this particular case, it is proper to note, the state legislature subsequently amended the law to bring it into agreement with the county judge's ruling.<sup>104</sup>

Judge Wyman's successor as Humboldt County judge, Judge A. I. Heustis, also delivered carefully reasoned opinions. In *Ricks v. Duff* (1860), his fifteen-page analysis of the facts and the law of the case led him to overrule the demurrer of the Eureka City board of trustees and establish the jurisdictional principle that the county court was appellate to all inferior legal tribunals exercising judicial power, "by whatever name called," including the city board of trustees.<sup>105</sup>

On balance, the early cases show a competent, mature local bench acting with the traditional integrity and with a good measure of the sophistication customarily associated with the judicial office.<sup>106</sup> The cases give little evidence of any rule of crude, untechnical law, though the character of law enforcement might occasionally be otherwise.<sup>107</sup> Apparently statehood California had no era of frontier, formative jurisprudence, as is sometimes held to have existed in other areas. Perhaps no part of the American West ever really knew such an era, for it may be that holders of such views have relied on evidence that is only fragmentary or more extraordinary than ordinary.<sup>108</sup>

Court records show that early California lawyers were an equally talented group, and, certainly, by reason of the special body of learning required by their calling, among the best educated members of the community. Doubtless the



Sheriff's Sale 11.

Will be sold for Cash in hand on  
 the 21<sup>st</sup> day of Feb 1850. ~~at the~~ <sup>the</sup> House of  
 Joseph Wright on fourth Street between J  
 I all the intres of the said J Wheelwright  
 into the following property - 9 Bot Champagne  
 Cider 6 Signor Bottles Box and Shelf 1 Counter  
 1 Table 2 Benches Stove & Pipe Lot Lumber  
 4 flying Horses and six tuss House & other  
 1 Ha Kettle one Lot of Ground on which  
 the House stands taken as the property  
 of Joseph Wheelwright in favour of  
 Darrington and Moody & Co on a judgment  
 obtained in the Court of the first Inst  
 in and for this district on the 4 day Feb  
 1850

D.B. Hanner Sheriff  
 By J. Smith

Sacramento Feb 16<sup>th</sup> 1850

In civil cases sheriffs' sales were frequently  
 ordered to provide pecuniary compen-  
 sation for injuries suffered. This  
 1850 notice of sale (above) offered house  
 and lot and sundry furnishings for sale.

In this 1849 court order (below),  
 the Sacramento district sheriff was com-  
 manded "to summon six good and lawful  
 men to make a jury," a modification of  
 the twelve-man jury adopted in California.

The Territory of California To the Sheriff  
 Sacramento District Greeting. You are hereby  
 mandated to summon six good and lawful men  
 make a jury in the case of Harris & Shanon & R. B.  
 Berry.

Oct 26<sup>th</sup> 1849

J. M. Lusk  
 J. A. Lusk's Seal

pettifogging order was fully represented, but California seems to have attracted an unusual number of lawyers of outstanding ability and stature. The records document such lawyer-related matters as the procedures followed for admission to practice, the variety and quality of trial motions and pleadings, techniques of examination and cross-examination, style and weight of argument, competence of citation of authorities, proposed instructions to the jury, and lawyer-client relations.<sup>109</sup>

The actions brought in the county courts and the procedures for trying them were overwhelmingly Anglo-American, common-law-based actions and procedures, apparently little influenced by local conditions or by civil law. Orthodox enforcement of private rights was what pioneers wanted: protection of physical person, personal property, land and buildings, and economic pursuits. In a fair observance of the procedural requirements of the statutes, criminal prosecutions flowed from information, indictment, and private complaint; civil actions from complaint and summons.<sup>110</sup>

Although the legislature had provided that there should be "but one form of action for the enforcement or protection of private rights and the redress of private wrongs, which shall be denominated a civil action"<sup>111</sup> (thus ruling out the complicated common-law forms of action), California lawyers and judges knew well that the old common-law elements of a *prima facie* case must still be recited in the pleadings. They would not have disputed Maitland's remark that, "The forms of action we have buried, but they still rule us from their graves."<sup>112</sup>

California cases reveal the full range of civil actions of the time: debt, account, assumpsit, replevin, trover, trespass, case, forcible entry and detainer, and the like, along with most common law and statutory felonies and misdemeanors.<sup>113</sup> General (common or indebitatus) assumpsit, a quasi-contractual action brought on a promise implied in law to prevent unjust enrichment or because of obligations of natural justice and equity, was generally termed simply assumpsit, with "assumpsit on account" probably the most common civil action. *Bristol v. Potter & Brown*, an action of "assumpsit for \$2737" in the Sacramento court of first instance in February, 1850, illustrates a declaration's utilization of several of the familiar common counts: "This is an action of assumpsit for goods wares & merchandize sold \$2737. For this amt due for so much money had & received to the use of the plff \$2737. For this amt due on acct stated \$2737."<sup>114</sup> Assumpsit for damages "for breach of warranty on sale of horses" and "for breach of guarantee on sale of horses & wagon" are examples of early Sacramento actions of special assumpsit which lay for suits on either express or implied-in-fact contracts.<sup>115</sup> The legal writs of habeas corpus<sup>116</sup> and mandamus<sup>117</sup> and the equitable writ of injunction<sup>118</sup> were the extraordinary remedies noted. Writs of certiorari were not uncommon.<sup>119</sup>

The cases are a storehouse of materials on the role of that great common law stay of individual liberty, the trial jury.<sup>120</sup> The composite of popular attitudes, standards, and principles that is the jury may be seen in the jury's important work of tempering justice, as in its recommendation that the Indian Pastorio be shown mercy by the governor;<sup>121</sup> or in its finding that the city lots of John Sutter and six other party plaintiffs had indeed been trespassed upon, but only to the extent of \$1 in damages;<sup>122</sup> or in its lack of sympathy with Charles Raymond

who told how Gideon Young had come on his land in Humboldt County, felled a great number of trees, converted the same into cord wood, and carried the same away. (The jurors—who one almost suspects were themselves hewers of wood—found the defendant not guilty.)<sup>123</sup>

A juror's attitude concerning capital punishment (an element that was to be an issue before the United States Supreme Court in 1968 in the landmark case of *Witherspoon v. Illinois*) came under examination in the Sacramento court of sessions in 1851.<sup>124</sup> The district attorney questioned a prospective juror, Henry Merrit.

Question. Have you any conscientious opinions which would preclude you from bringing in a verdict of 'guilty' when the penalty may be death?

Answer. I have.

Court—Question: Could you bring in a verdict of death where the crime charged is less than murder?

Answer. I could not.

The court thereupon declared the examinee to be incompetent. The defendant's counsel excepted, but in 1851 there was no overturning the judgment on that point.

Judgments in civil cases usually took the form of pecuniary damages in compensation for the injury suffered, with interest and costs. It was in the satisfaction or execution of judgments, that is the attempt to put judgments into effect, that the moderating California conditions were most evident. A writ of execution might direct the sheriff or constable to levy upon (seize and sell) enough of the defendant's property to satisfy the judgment. For example, in *Harmon & Chatfield v. Sears*, heard in Sacramento court of first instance in September, 1849, the sheriff levied on one gray horse, one dun horse, and two mules which he sold for \$221.<sup>125</sup> In *Sutter et al. v. Chapman* the levy and sale of the defendant's property brought only \$6.51 against the \$69 damages and cost awarded.<sup>126</sup> When the sheriff levied on defendant John Madden in Sacramento on August 13, 1850, he apparently took over a portion of the squatter faction's arsenal, for among the items seized were five shotguns, five smooth-bore rifles, a five-shooting pistol, a pair of pocket pistols, a powder flask, a sword, and a large bell.<sup>127</sup> A judgment for Brannan & Co. against Charles E. Pickett (later Philosopher Pickett) for \$1,472 in Sacramento in October, 1850, saw the sheriff levy on Pickett's interest in a lot on J Street and the house thereon known as the City Shoe Store, with Peter H. Burnett taking the property on a \$3,100 bid.<sup>128</sup>

In Sonoma County in 1854, on a writ of attachment on a \$1,551 judgment, the sheriff seized from the defendants eight yoke of oxen, eight yokes and chains, two sorrel horses, one Spanish saddle, one wagon, one American milch cow and calf, two American heifers, two plows, four hoes, 140 acres of potatoes growing in the field, one sail cloth, and one bale of gunnybags.<sup>129</sup> Subsequently, "by verdict of a jury," the potatoes were released to the defendants, as was, by order of the plaintiff, a red heifer. The sale of the remaining property on a writ of execution brought the return of the attachment satisfied.

Sometimes, however, the writ was returned unexecuted, with the sheriff's notation "no goods nor chattels to be found" or "Nulla Bona"—no goods.<sup>130</sup> The



sheriff in an alcalde's case at Mormon Island in April, 1850, stated, "I have searched diligently for property both real and personal of the within named defendant and have found nothing to satisfy in whole or in part the within execution."<sup>131</sup> Occasionally more than one execution writ would be required, as in the Sacramento case of *Stephens v. Torney* in November, 1849, where the sheriff returned the writ "for want of time to sell and ask an alias [or second] execution in this case."<sup>132</sup> In the Madden case cited above, the first and second writs proved ineffective and a pluries, or third, writ had to be issued.<sup>133</sup> *Walker v. McGuire* in Sacramento in November, 1849, required the issuance of a pluries alias, or fourth, writ.<sup>134</sup> And the Sacramento case of *Bailey v. Torney* required the issuance of a pluries alias alias, or fifth, writ before the plaintiff received as much as half of his \$6,000 judgment, that finally coming through the sheriff's sale, in April, 1850, of the defendant's interest in an "undivided one half of the 'Sutter House' at Sutter Fort."<sup>135</sup>

On the frontier, judgments, or sentences, pronounced after conviction in criminal cases were conditioned by the availability of jails and by the economic feasibility of maintaining such facilities. Sentences of a definitely punitive, yet relatively moderate, character were being pronounced by the Sacramento courts in 1850: for assault with a deadly weapon, the defendant to "receive on his bare back twelve lashes, well laid on, in default of permanently departing from the vicinity of his present residence within twenty four hours";<sup>136</sup> for riot and assault in connection with a drunken brawl on Front Street, two men fined \$20 each, two women fined \$5 each;<sup>137</sup> for petit larceny involving theft of a dozen bottles of wine from the schooner *Arthur*, the defendant fined \$100 and sentenced to fifteen days in the Sacramento County "gaol," and "if said fine is not paid at the expiration of said fifteen days that he be imprisoned in the said gaol fifteen days longer";<sup>138</sup> for grand larceny for stealing gold dust, money, and a watch, the defendant sentenced to "two years of hard labour in chains under the direction, supervision, & superintendence & for the benefit of the Mayor & Common Council of Sacramento City."<sup>139</sup>

In 1851, increasing lawlessness in California society moved the legislature to toughen the "Act concerning Crimes and Punishments."<sup>140</sup> Juries were now empowered to impose sentences of death, as well as imprisonment, on a conviction of robbery or grand larceny, and to impose sentences of lashes on the bare back not exceeding fifty, as well as imprisonment in the county jail or a fine, on a conviction of petit larceny. "This severe punishment," said Governor Burnett in calling on the legislature to enact the revision into law, "I would not recommend as a permanent one, to be continued when the State shall have her county prisons, and her penitentiary."<sup>141</sup> Frontier conditions thus forced California, as in an earlier age, to penalize crimes against property with the extreme penalty formerly reserved for unlawful homicide.

It was under this law that three of the four defendants in the Sacramento robbery case of July, 1851 (described later in this report), were hanged for robbing their victim of \$200 worth of gold dust.<sup>142</sup> Another much publicized case under the 1851 law, *People v. George Tanner*, was tried in the Yuba County court of sessions in April, 1852.<sup>143</sup> Convicted of stealing \$400 worth of flour, potatoes, and other items from Lowe and Brothers' storeroom, Tanner was sentenced to

death. The case was appealed to both the Yuba County district court and the state supreme court on the grounds that the lower court had erred in dismissing a juror who, when asked if he had any conscientious scruples against the infliction of capital punishment, replied that "he would hang a man found guilty of murder but that he would not hang a man for stealing." The appellate courts, however, upheld the trial court's ruling and affirmed the death penalty for Tanner. Chief Justice Hugh C. Murray's opinion contained the *obiter dictum*: "It is not our purpose to discuss the policy of this law, although we regret that our Legislature has considered it necessary to thus retrograde, and, in the face of the experience and wisdom of the present day, resort to a punishment, for lesser crimes than murder, which is alike disgusting and abhorrent to the common sense of every enlightened people."<sup>144</sup> Apparently California juries were in agreement with the chief justice's thinking, for only rarely did they impose the supreme penalty for robbery or grand larceny during the five years the 1851 law remained in force.<sup>145</sup>

For study of the many important social functions of the law, county court records provide an abundance of evidence.<sup>146</sup> Pioneer California society was a litigious society; the lawsuit was a ready instrument for regulating day-to-day affairs.<sup>147</sup> The law's orderly procedures provided protection for the expectations of contracts and a convenient means for the resolution of controversy in relation thereto, and, thus, the law promoted stability in economic transactions and immeasurably aided economic growth. Prior to the time when society relied primarily on government to license, regulate, and police the market place, the private lawsuit often served that end.

The function of the law in promoting settlement of disputes short of full litigation is fully evidenced in the court files. The minutes of the Sacramento district court in 1850 often contain the word "Cognovit," meaning that the defendant had filed a written confession authorizing the plaintiff to have judgment and execution in the case.<sup>148</sup> "Please to take notice that the defendants hereby offer to let judgment be entered against them," reads the successful offer of compromise in a Humboldt County case in 1854.<sup>149</sup> "I hereby authorize the Clerk of the County Court to enter Judgment in the above cause as confessed for the amount of the debt & costs, . . ." reads another case in Humboldt the next year.<sup>150</sup> A suit on a promissory note in the Sonoma County district court in 1854 was terminated by the plaintiff's instruction: "The clerk will please enter a dismissal of the above entitled cause."<sup>151</sup> Sarah Robinson's suit on Isaac Davis's \$550 promissory note in the Humboldt district court in 1855 ended in a two-word notation: "Settled. Discontinued."<sup>152</sup>

The records of the Sacramento district court contain the files of 9,713 cases that were litigated to judgment in the period 1850-79. On the other hand, some 7,000 cases were settled or disposed of short of judgment. The ratio between partial and full litigation in the Sacramento district court was thus not far from 1:1.<sup>153</sup>

A second method of settling disputes through judicial action was arbitration, a procedure in which parties usually agreed that the terms of the award should be made a decree of the local court. For example, in March, 1850, a board of three arbitrators settled Jonathan Williams' suit against Captain Sandford of

the barque *John Walls, Jr.* by formulating an eight-point award which, in accordance with the prior agreement of the principals, became enforceable as a decree of the Sacramento court of first instance.<sup>154</sup> "By consent of the parties by their attys," reads the Sacramento district court's minutes for February 6, 1851, for *Benedict v. Barstow et al.*, "this cause is submitted to J H Ralston & H Smith Esqrs. as referees, who will act and report to this court."<sup>155</sup> The said referees heard the argument of counsel and then reported in favor of the plaintiff, which finding was made the judgment of the court. The arbitrators' decision in a controversy between Charles Bishop and James Whitcomb in Sacramento County in 1862—"we award to Charles Bishop all the Lumber that has been remoooved before the above date and all that is now on the premises in disput both of lumber and posts to James Whitcomb."—was made a part of the records of the justice court of Franklin Township.<sup>156</sup>

In unsettled California society the law acted as a pacifying and stabilizing influence, a convenient vent for complaint and protest, and an agency with a built-in procedural capacity to absorb the passions of the moment. The law provided a delaying mechanism against sudden confrontation which ultimately gave more reasoned and less impulsive thoughts a chance to prevail. For example, requiring personal bonds was an effective means of moderating tensions and combatting destructive or injurious conduct. When Margaret Kleese declared before a Sacramento justice of the peace in May, 1850, that her husband "hath uttered threats of personal violence, thereby placing said deponent in great bodily fear," the justice ordered Kleese into court and bound him to the state for twelve months in the sum of \$500, on the condition that he "keep the peace towards all the citizens of the State of California."<sup>157</sup> On the morning of February 22, 1851, the Sacramento justice was informed of H. C. Ross's announcement that he was going to fight a duel with Louis Le Clair at three o'clock that afternoon. Ross was brought into court forthwith and placed under a \$1,000 bond to keep the peace and "in no case break the same as towards Louis Le Clair."<sup>158</sup> That three sureties were also bound by the bond added weight to the injunction imposed on Ross. The Kleese and Ross cases are examples of that particular common judicial action which required the giving of personal bonds.

Sometimes, however, the apparatus of the law was rudely thrust aside by certain lay groups, impatient with the slowness of procedural due process and with the obvious weaknesses operative in the administration and enforcement of the law, who boldly assumed for themselves full responsibility for trial of defendants and undelayed execution of the resulting judgments.<sup>159</sup>

Court records throw light on the circumstances behind popular "law and order" movements. An exasperating gulf often existed between the detailed statutory design and the actual performance of the system of law enforcement. In October, 1850, a distressed Stockton resident wrote to a correspondent in the East, "Society in the neighborhood of Stockton & Sacramento City have, since the Laws have been established over the country, degenerated very much. . . . That security which was given to the people through the fear of Lynch law has entirely disappeared."<sup>160</sup> Certainly the Stockton resident's belief was widely held. Efficient enforcement of the law in gold rush California was made difficult by conditions including mobility of population, imperfect publication of laws,



uncertainties as to geographic jurisdictions of courts, crowded and congested dockets, the high cost of litigation, and inadequacies or absence of jails.<sup>161</sup>

Publication of laws was no small problem in the first years of California statehood. Governor Burnett began to sign bills into law in January, 1850, and continued to do so until the legislature adjourned in April.<sup>162</sup> To facilitate knowledge of the new statutes, the legislature provided in March that the secretary of state should publish the laws in pamphlet form until they could be printed in bound volumes; a month later the state printer received instructions to print 1,050 copies of the statutes in English and 350 copies in Spanish.<sup>163</sup> In May the governor wrote to the newly elected local officials of Santa Barbara, assuring them that copies of the laws would be sent to them as soon as possible but pointing out that "the high price of labor and scarcity of material have rendered printing in this country very tedious."<sup>164</sup> Hence, the author of a letter to the governor from Napa City on June 5, 1850, incidentally reported that he had looked over "a copy of reported Bills and enactments of the legislature of Cal (by the by I believe the only copy in the County)."<sup>165</sup> When the local justice, in November, 1851, fined several residents of Santa Clara County \$50 each for selling spirituous liquors without a license, they petitioned the governor to remit the penalty, "owing to the fact of no laws being published."<sup>166</sup>

Law treatises, reports, and other legal reference works were in short supply in California in the early years. Among the books furnished Brigadier General Bennett Riley upon his departure for California in the fall of 1848 to assume the civil governorship were Blackstone's *Commentaries* (2 v.), Kent's *Commentaries* (4 v.), and Wheaton's *Elements of International Law* (1 v.).<sup>167</sup> A well-chosen, apparently somewhat exceptional eighteen-volume law library that two gold rush attorneys brought across the plains is itemized in the Sacramento case of *Papy & Jones v. Wilson* which was tried in November, 1849: Kaufman's *Mackeldey on Modern Civil Law*, Greenleaf's *Evidence* (2 v.), Chitty's *Criminal Law* (3 v.), Chitty's *Pleadings* (2 v.), Chitty's *Bills*, Chitty's *Contracts*, Story's *Commentaries*, Story's *Equity*, Starkie's *Libel*, Sugden's *Vendors* (2 v.), McKinley & Liscun's *Law Library* (2 v.), and Tayler's *Law Glossary*.<sup>168</sup>

Jurisdictional problems, too, contributed to the difficulties of law enforcement. When the deputy sheriff of the Sacramento district traveled to Auburn in March, 1850, to execute a \$5,541 judgment against the proprietor of the "log store house," an armed crowd prevented him from levying on the defendant's property.<sup>169</sup> The resourceful deputy summoned a "jury of consultation" of twenty-one citizens to determine the course he should follow, but the jury found "that the sheriff has not sufficient force to proceed in this community in this Case without too much endangering the lives of Citizens." Moreover, the local alcalde informed the deputy in no uncertain terms that the Sacramento court lacked jurisdiction in that vicinity. In a fine display of provincial independence, the Auburn alcalde declared that "he acknowledged no higher authority in Califor-

#### OPPOSITE

In a common civil case procedure the "lands and tenements, goods, chattels, moneys, credits and effects" of Ormsby, Harper & Co. were attached (top) to secure the sum of \$1,000 with interest and costs of suit. A month later the partners were summoned (middle) to appear before district court, and the following month a witness was subpoenaed (bottom) to testify on the trial of the cause.

## WRIT OF ATTACHMENT.

SACRAMENTO COUNTY, SCT

THE PEOPLE OF THE STATE OF CALIFORNIA

TO THE SHERIFF OF SAID COUNTY, GREETING:

We command you to attach *John S. Oursby, William M. Oursby and John H. Harper doing business under the name of J. S. Oursby & Co.* by all and singular *lands and tenements, goods, chattels, moneys, credits and effects,* or so much thereof as shall be sufficient to secure the sum of *One thousand* dollars and with interest and costs of suit, in whosoever hands or possession the same may be found in your bailiwick. And that you summon the said *John S. Oursby, William M. Oursby and John H. Harper doing business under the name of J. S. Oursby & Co.*

## SUMMON.

STATE OF CALIFORNIA, }  
SACRAMENTO COUNTY, } ss.

THE PEOPLE OF THE STATE OF CALIFORNIA

TO THE SHERIFF OF SAID COUNTY, GREETING:

We command you to summon *John S. Oursby, William M. Oursby, John H. Harper late partners trading and transacting business under the commercial name & style of Oursby, Harper & Co.* to be and appear before the District Court, in and for said County, on the first day of the next term, thereof to be begun and holden at the Court House, in Sacramento City, on the *First* Monday of *July* next, ~~and~~ and there to answer unto *the Complaint of J. S. Oursby & Co.* within ten days from

## SUBPEONA.

STATE OF CALIFORNIA, }  
SACRAMENTO COUNTY, } ss.

THE PEOPLE OF THE STATE OF CALIFORNIA

T. *J. C. Hastings*

You are hereby commanded that all excuses and delays being set aside, you personally *appear* and appear before the District Court, in and for said County, on the *first* day of the next term, thereof to be begun and holden at the Court House, in Sacramento City, on the *Monday* of

*July*, to testify on the trial of a cause wherein *J. S. Oursby & Co.* plaintiff and *John S. Oursby, William M. Oursby and John H. Harper* defendant & on the part of the

Hereof fail not at your peril.

Witness, PRESLEY DUNLAP, Clerk of the District Court, for said County, with the seal of said County, at Sacramento City, *July* the *18th* A. D. 1850.

*P. Dunlap*  
*Clerk*

nia than his own within his particular Jurisdiction."<sup>170</sup> The deputy sheriff was compelled to return the writ of levy to the Sacramento court unexecuted.

Over-crowded dockets reflected the pace and clamor of the life of the times. In stating his policies to the state supreme court in March, 1850, Judge William B. Almond of the San Francisco court of first instance, a man notorious for the abruptness and haste with which he dispatched the business of his court, touched on the realities confronting the administration of justice in 1849-50:

When men with clear titles to land can obtain redress against intruders without a shadow of title, promptly, they respect and love the administration of justice; but when they are delayed & frustrated in the assertion of their honest rights, they are sometimes induced to take the matter in their own hands and disregard Law and order. The above considerations in this community induces me to try to administer relief to the injured as speedily as possible.<sup>171</sup>

In January, 1853, the citizens of Columbia urgently petitioned the legislature for an additional justice of the peace, declaring that the docket of the existing justice was "so constantly crowded that litigants are compelled to delay the adjustment of their suits for a long time at great expense & inconvenience."<sup>172</sup> Understandably, heavy work loads drove a number of judges from the bench. "The inadequacy of the Salary & the enormous increase of business in my official Duties render it necessary to my pecuniary interest to resign the office of county judge in & for this county," stated the Shasta County judge in 1852 in his letter of resignation to the governor.<sup>173</sup>

In California the fees of the clerk of the court, sheriff, justice of the peace, witnesses, jurors, and others were regulated by the legislature.<sup>174</sup> The costs of a lawsuit (attorney's fees excluded) were recoverable by the successful party from the losing party. Typical costs are seen in the 1854 case of *Brockman v. Combs* in the seventh district court of Sonoma County (a suit for \$1,050 damages for the conversion of thirty-five head of Spanish cattle): for all proceedings previous to issue, \$20; for trial of issue of fact, \$30; for proceedings subsequent to trial, \$10; clerk's fees, \$16.60; jurors' fees, \$11; other fees, \$25.85; total costs, to which the plaintiff of the case was entitled, \$113.45.<sup>175</sup> The "heavy burthen" of criminal costs was spelled out by the Los Angeles County court of sessions in 1851 in its appeal to the legislature for a reduction of the costs in criminal cases.<sup>176</sup> The Bar of Sacramento, in petitioning the legislature in 1855 for a reduction of court fees, stated that "at the present exorbitant rates, they frequently operate a denial of Justice."<sup>177</sup>

Under an act of March, 1850, the court of sessions of each county was charged with causing a county jail to be erected for the safekeeping of prisoners, to be managed by the county sheriff.<sup>178</sup> Sacramento County met the requirement by converting a ship into a prison brig, but the Sacramento County grand jury, in its report in January, 1851, censured the keeper of the brig for an inexcusably loose watch of the prisoners, noting that "few fail to escape who try."<sup>179</sup> The grand jury in August, 1856, counted twenty-three prisoners in the Sacramento city prison, "16 of which compose the Chain Gang who are employed in repairing the streets & 6 are employed at the Artesian well and 1 we found in close confinement." The prison brig at the same time held twenty-nine prisoners.<sup>180</sup> From Napa County in 1851 came an appeal to the legislature that the state bear



a share of the costs of *People v. McCauley*, a celebrated murder case, on the ground "that the expense of the detention of the Prisoner is increased in amount in consequence of the want of some secure place of confinement."<sup>181</sup> An associate justice of the Yuba County court of sessions testified in March, 1851, that District Court Judge William R. Turner's absence from Yuba County since the first of the year had worked a great hardship "from the fact that our county jail is at this time and has been for a month past filled with prisoners awaiting their trial before the district court. And the expense of keeping prisoners is very exorbitant and ruinous to the finances of the county."<sup>182</sup> The expense of detaining prisoners could not help but influence the character of the sentences pronounced.

For a time in 1850 the squatter faction of Sacramento was in open defiance of the local courts. Doubt and hostility toward the legality of Sutter's land title and the cherished American habit of free and easy appropriation of unoccupied land had collided with the interests of land speculators and other property owners whose right of possession was traceable to Sutter's grant.<sup>183</sup> In November, 1849, Zerrak W. Chapman, a squatter who lost an ejectment suit, had "entirely refused" to obey a writ to put the plaintiffs in possession of the disputed premises, and the sheriff had had to summon a *posse comitatus* to remove him.<sup>184</sup> In December a building that Dr. Charles Robinson (later, the first governor of the state of Kansas) and other squatters were putting up on the city embarcadero had been torn down by the city marshal on the grounds of abatement of a nuisance. John A. Sutter, Henry A. Schoolcraft, Samuel Brannan, and Thomas A. Warbuss, of the vested interests, had complained to the city attorney that the building was doing them great damage, "inasmuch as it obstructs our way, injures the sale or lease of our property and in a great measure shuts us out from public view."<sup>185</sup> Countering with a suit for recovery of \$3,000 damages, Robinson challenged the legality of the city council's order that the city marshal had carried out, but the jury found against him.<sup>186</sup>

The squatter conflict reached its climax in August, 1850, when the county court ordered John Madden, an alleged squatter charged with unlawful detainer, to pay damages of \$1,200 and restore to the plaintiff the city lot he was then occupying.<sup>187</sup> The action had begun in the Sacramento recorder's court in the previous May where Madden's plea that the court lacked jurisdiction had been overruled.<sup>188</sup> Madden likewise had unsuccessfully sought from the appellate county court a non-suit on jurisdictional grounds. Most frustrating of all, the county court had overruled his motion for an appeal to the supreme court and seemingly ended all further hope of redress.<sup>189</sup> The squatter faction, led by Charles Robinson, thereupon issued a proclamation defiantly asserting that in the future it would "disregard all decisions of our courts in land cases, and all summonses or executions by the Sheriff, Constable, or other officer of the present courts or city, touching this matter."<sup>190</sup> The legality of the legislature had not been recognized by Congress, the proclamation declared; the legislature's rules and regulations were of no binding force upon the citizens of the United States; the settlers and others who were friends of "justice and humanity" would refuse to honor the "unconstitutional" California law relating to forcible entry and detainer. "Higher law" had been called into play.<sup>191</sup>

On August 14, four days after the county court had pronounced judgment in

the Madden case, a confrontation between squatters and city officials resulted in the death of several people, and the city was placed under martial law.<sup>192</sup> Significantly, the turn to extreme violence cost the extralegal movement its popular support, and the squatter element soon faded from the scene. Madden, however, was not finished. His personal petition to the state supreme court brought a review of the lower court proceedings and ultimately a high court opinion, in December, 1852, holding that neither the recorder's court nor the county court, in fact, had had jurisdiction of the ejection suit and that a writ of restitution should issue to restore the disputed parcel of land to Madden.<sup>193</sup> On that point, the stand of the defiant "lawless" squatters had been judged legally correct, the view of lower proper tribunals legally in error!

The precarious balance that sometimes existed between the power of the court and the power of the mob was again demonstrated in Sacramento a year later. On July 9, 1851, four men assaulted a visiting rancher in the streets of Sacramento and robbed him of \$200 worth of gold dust.<sup>194</sup> Particularly shocking was the fact that the incident had occurred in broad daylight. Indicted by the grand jury, the accused were brought into the court of sessions and, upon a plea of not guilty, were granted the two-day postponement allowed by the law for the preparation of their defense. The court minutes then record that "a large assembly of persons . . . congregated in front of the Station House where the said defendants were confined & threatened that unless the trial of said Defendants should proceed this day in said Court that they would take said defendants from said prison & hang them."<sup>195</sup> A committee of the mob waited upon the defendants' counsel to ascertain whether they would waive the right of delay. In order to avoid the precipitate hanging of the defendants, "whether guilty or innocent," counsel reluctantly agreed to the demand, although, as they stated, they were "entirely unprepared for trial."<sup>196</sup> The defendants likewise waived their right and consented to an immediate trial. The pressure of the mob had succeeded in impairing both the form and the substance of due process of law. Once the trial was under way, however, the judge regained procedural control by trying each defendant separately, over a period of a week's time.<sup>197</sup> Conviction of the crime of robbery brought sentences of death to three of the defendants and ten years in the state penitentiary to the fourth.<sup>198</sup> But when Governor John McDougall ordered a month's delay in the execution of the sentence of one of the defendants, mob rule returned. In defiance of the governor's order, the mob took the reprieved man from the authorities and hanged him with his fellow defendants.<sup>199</sup>

Through all the clamor and turbulence, even in the most chaotic and disordered times, the enormous restraining influence of the courts was nonetheless evident. The Sacramento squatters had carefully confined their short-lived defiance of the judiciary to land matters alone. In the case of the four Sacramento robbers, the mob, though it later defied the governor, had been satisfied with but a token gesture of compliance on the part of the court. The remarkable fact remains that a single agent of the law, armed with a judge's writ, was usually more than a match for the hostile forces.

The social function of the law in calling secular powers to account and in requiring possessors of power to exercise a degree of responsibility toward the

public interest has been touched on in the cases above dealing with the railroads. The constitutional ideal that the law should hold public power responsible and subject to external review was observed in *People v. Lusk*, an examination of which was made in the Sacramento recorder's court in 1851.<sup>200</sup> George C. Lusk, a Sacramento city policeman, had attempted to quiet a boisterous crowd late one night on Second Street, and he shot and wounded Dr. George W. Williams, a Sacramento physician. The district attorney brought a complaint charging Officer Lusk with assault with intent to commit murder. For two days Recorder W. H. McGrew listened to a parade of witnesses and then ordered the defendant to be held to answer the complaint. The grand jury, however, dismissed the charge, apparently believing Lusk's testimony that the doctor had drawn a pistol and that Lusk had acted in self-defense. It is worthy of emphasis, however, that pioneer California's legal machinery looked closely into a peace officer's conduct.

As for the issue of continuity *versus* innovation and diversity in culture's trek from settled to newly-entered regions of the American West, all the forms and functions of the California county courts cast a resounding vote on the side of continuity. California's court of sessions, for example, was a carry-over from the courts of quarter sessions of England and, later, New England.<sup>201</sup> Judge Wyman of Humboldt, in expounding on "trespass quare clausum fregit," voiced the language of fifteenth century English courts, as did the complaint filed in Marin County in 1855 that the defendant's cattle and sheep and horses had "broken into the close of said plaintiff."<sup>202</sup> When Anna Wilson brought an action for unlawful entry and detainer in the justice court of Eel River Township in 1858 and claimed lawful title to "that certain messuage or dwelling house," we have an echo of Glanvill's *Treatise on the Laws and Customs of the Realm of England* written in 1189 A.D.<sup>203</sup> The massive continuity of the common law is indeed impressive. Judges Wyman, Heustis, and McKinstry were in truth but territorial representatives of the great legal interpreters Blackstone, Kent, and Story. Presiding on the banks of the Sacramento, holding forth on Humboldt Bay, and dispensing the law throughout the broad expanse of California was a corps of effective spokesmen for a host of great jurists, lawyers, and law writers of many generations and centuries past.

All these things, and infinitely more, the county court records affirm.

#### NOTES

84. Julius Goebel, Jr., "Law Enforcement in Colonial New York: An Introduction," in David H. Flaherty, ed., *Essays in the History of Early American Law*, 384 (Chapel Hill, N. C., 1969). This essay originally appeared in Julius Goebel, Jr., and T. Raymond Naughton, *Law Enforcement in Colonial New York: A Study in Criminal Procedure (1664-1776)*, xvii-xxxvi (New York, 1944).

85. "The misuse of legal terms is no small distemper which the physic of the dictionary will soon make right, for it casts an informed and critical reader into a mood of doubting the validity of any conclusions that may be offered on any points of law and practice." Goebel, *ibid.*, 385.

86. For the primary characteristics of the language of the law, see David Mellinkoff, *The Language of the Law*, 11-23 (Boston, 1963). "Nothing serves better to mark the gulf between the language of the law and the common speech," writes Mellinkoff, "than a listing of common words that mean one thing to the eye or ear of the non-lawyer, and may mean something



completely different to the lawyer." Frederick Bernays Wiener, *Uses and Abuses of Legal History: A Practitioner's View*, 8n. (Selden Society Lecture, London, 1962), appends Associate Justice Robert H. Jackson's itemization in *D'Oench, Duhme & Co. v. Federal Deposit Insur. Corp.* (1942), 315 U.S. 471, of words and phrases which the constitution borrowed from the common law and which are "meaningless without that background, and obviously meant to carry their common-law implications." Moreover, as Elisha O. Crosby, chairman of the state senate committee on the judiciary, knowingly observed in 1850: "In truth, all the provisions of constitutions, and statutes, and codes, are but pebbles on the sea-shore—the vast ocean of legal science lies beyond." "Report of Mr. Crosby on Civil and Common Law," *Journal of the Senate, 1849-50* (San Jose, 1850), Appendix, O, 463.

87. "He [Maitland, 1850-1906] was both a consummate lawyer and a consummate historian. Because he was a consummate lawyer he was initiated into that professional tradition, an acquaintance with which is a condition precedent to the writing of effective legal history; for, as he said, 'a thorough training in modern law is almost indispensable for any one who wishes to do good work on legal history.'" W. S. Holdsworth, *The Historians of Anglo-American Law*, 7 (New York, 1928). In Maitland's inaugural lecture as Downing Professor of the Laws of England at Cambridge in 1888, "Why the History of English Law is not written," he examines the particular qualifications for the legal historian; see T. F. T. Plucknett, "Maitland's View of Law and History," in Plucknett, *Early English Legal Literature*, 1-18 (Cambridge, England, 1958) which also appears in *The Law Quarterly Review* (London), 67: 187-90 (April, 1951); Robert Livingston Schuyler, ed., *Frederic William Maitland, Historian*, 132-44 (Berkeley, 1960).

88. *Cal. Stats.* (1850), 219. The choice before the legislature was between the common law of England and the civil law of Europe, the latter being the law of California at the time the decision for the common law was made. For the prevailing view in favor of the common law, see "Report of Mr. Crosby on Civil and Common Law," Feb. 27, 1850, *Journal of Senate, 1849-50* (San Jose, 1850), Appendix, O, 459-80. John W. Dwinelle and seventeen other members of the San Francisco bar endeavored unsuccessfully to persuade the legislature to adopt the civil law, asserting that "the Common Law of England was based upon and grew out of the feudal system; in which the landed interest has ever prevailed over the interests of commerce, manufacturers and labor; and personal liberty has ever been subject to the restrictions and assaults of prerogative and arbitrary power." Petitions to Legislature, 1850-(6), CSA. General Stephen W. Kearny's "Proclamation to the People of California" on Mar. 1, 1847 declared that "the laws now in existence, and not in conflict with the constitution of the United States, will be continued until changed by competent authority." 31st Cong., 1st sess., *House Ex. Doc.* No. 17 (Washington, D.C., 1850), 288, 289. For a summary of the legislative history of California's adoption of the common law in 1850, see William Henry Ellison, *A Self-Governing Dominion: California, 1849-60*, 68-72 (Berkeley, 1950).

89. *Cal. Stats.* (1850), civil: 428-56, criminal: 275-331; *Cal. Stats.* (1851), civil: 51-153, criminal: 212-90. See William Wirt Blume, "Adoption in California of the Field Code of Civil Procedure: A Chapter in American Legal History," in *Hastings Law Journal*, 17: 701-25 (May, 1966); Ralph N. Kleps, "The Revision and Codification of California Statutes 1849-1953," in *California Law Review*, 42: 766-802 (December, 1954); Rosamond Parma and Elizabeth Armstrong, "The Codes and Statutes of California: A Bibliography," in *Law Library Journal*, 22: 41-56 (April, 1929). The state supreme court established rules for practice in the supreme court, district courts, and superior court for the city of San Francisco in June and July, 1850. *Minutes, Supreme Court*, A, 68-73, 79, 80, 139-55, CSA. Beginning in 1854, the supreme court's rules of practice were published in the *California Reports*, for example: 4: xii-xxv (1854); 6: 751-55 (1857). See Carleton W. Kenyon, "A Guide to Early California Court Organization, Practice Acts and Rules, with the Text of California Supreme Court Rules, 1850-53," in *Law Library Paper No. 21* (California State Library, Sacramento, Aug. 1968), 33 pp.

90. George E. Woodbine, "The Suffolk County Court, 1671-1680," in David H. Flaherty, ed., *Essays in the History of Early American Law*, 193 (Chapel Hill, N. C., 1969). This essay, a review of Samuel E. Morison, ed., *Records of the Suffolk Court, 1671-1680* (Boston, 1933), originally appeared in the *Yale Law Journal*, XLIII: 1036-43 (April, 1934).

91. Since the county courts were appellate to the civil judgments of the justices' courts, the county court case files contain a great amount of material reflecting on the work of the justices of the peace. For a good example of a justice of the peace who carefully observed due process, see the record of M. W. Bamard, *Minutes and Judgments, 1850-1860*, Justice Court, Long Bar Township, Yuba County, California State Library. Attesting to the significant role of the justice of the peace, a petition to the legislature from many citizens of El Dorado County in 1853 stated, "We would respectfully represent that the Justices Courts are far the most important, and are very generally resorted to in the mountain regions." "Remonstrance from Citizens of El Dorado County," Apr. 5, 1853, *Petitions to Legislature, 1853*-(102), CSA. For statutory and case law on the duties and jurisdiction of the California justices of the peace for the period, see Charles W. Langdon, *Treatise on the Civil and Criminal Jurisdiction of the Justices of the Peace* (San Francisco, 1870).

92. *Valentine et al. v. Stewart et al.*, 7th District Court, Sonoma County, Old Ser., No. 895-(222-28, 263-75). Judge Elisha W. McKinstry presided over the 7th district court (Marin, Sonoma, Napa, Solano, Mendocino, Contra Costa Counties) from 1852 to 1862 and served as an associate justice of the state supreme court from 1873 to 1888. He was a member of the state assembly from the Sacramento district in 1849-50. For a selection of district court opinions for the years 1854-58, see Henry J. Labatt, comp., *Reports of Cases Determined in the District Courts of the State of California*, 2v. (San Francisco, 1858, 1859).

93. "Opinion," Dec. 30, 1858, *Valentine et al. v. Stewart et al.*, 7th District Court, Old Ser., No. 895-(264, 265).

94. 15 *Cal. Repts.* 387-406; Supreme Court, No. 2321 (8682), CSA; *Opinions*, Supreme Court, F, 387-95, 530, 531, CSA.

95. The quotation is from the editorial, "The Press a Nuisance," published in the San Francisco *Herald* of March 4, 1851, which caused Judge Parsons to cite editor William Walker for contempt. The editorial is entered in the "Transcript of Record," 4th District Court, San Francisco County, in "Proceedings in the Impeachment of Levi Parsons. Judge of the 4th Judicial District . . . before the Committee of the Assembly," Legislative Papers, LP1:1213, CSA.

96. "The Opinion of the Court," Mar. 8, 1851, 4th District Court, San Francisco County, in "Transcript of Record," *op. cit.*, LP 1:1213, CSA. Lord Mansfield's words are from *Rex v. Wilkes* (1770), 4 Burrow (Dublin, 1778), 2562; they are quoted in R. E. Megarry, *Miscellany-at-Law: A Diversion for Lawyers and Others*, 3 (London, 1955). William Walker memorialized the state assembly to impeach Judge Parsons. After a considerable investigation, the assembly, by a vote of 17 to 12, adopted the "Report of the Select Committee" which recommended dismissal of the charges. *Journals of the Legislature, 1851* (n.p., 1851), 1374, 1507-16, 1548-54, 1646: 1 *Cal. Repts.* 539-55. In resigning his judgeship in October, 1851, Parsons reminded the governor that he had expressed his intention to resign some eight months earlier, "but circumstances occurred . . . which in my opinion made it specially incumbent upon all in authority, who had the welfare of our State and the security of her Institutions at heart to stand to their posts." Now that reason and tranquillity seemed to have "partially at least resumed their sway," he was stepping down. Parsons to Gov. McDougall, dated San Francisco, Oct. 2, 1851, Secretary of State, Resignations, 1851, Dr. 824, CSA.

In *People v. Thom*  
an eleven-year-old  
witness testified that  
he saw Mr. Thom  
fire a Colt revolver at  
a Mr. Fisher outside  
the farmer's house.

Mr. E. Emery - being sworn says - I live on the corner of 8th & H I am 11 years of age. I have no business but go to school. I saw the fire fired. It was on the corner of 8th & H at Mr. E. Thom's house, on Sunday, 11th. I fired it, at Mr. Fisher. It was a Colt's revolver. ~~I saw Thom~~  
Witness E. Emery

97. "Affidavit of Stephen J. Field," June 17, 1850, *People Ex. Rel. Field v. Judge of the 8th Judicial District*, Supreme Court, No. 96 (40). Field was an associate justice of the state supreme court from 1857 to 1859 and chief justice from 1859 to 1863; he was an associate justice of the United States Supreme Court from 1863 to 1897. The Turner-Field controversy is described in Stephen J. Field, *California Alcalde*, 35-43, 51-56, 86-88, 155-65 (Oakland, 1950); Oscar T. Shuck, *Bench and Bar in California: History, Anecdotes, Reminiscences*, 150-53 (San Francisco, 1889); and Carl Brent Swisher, *Stephen J. Field: Craftsman of the Law*, 37-51 (Washington, D.C., 1930).

98. *Minute Book*, Supreme Court, A, 123, 174, 247, CSA. In a letter published in the *Sacramento Placer Times* on July 27, 1850, Field and the other disbarred attorneys charged that Turner was grossly incompetent to discharge the duties of his office and was guilty of gross oppression and tyranny in office, gross indecency in language and conduct, and gross immorality. "Answer of Field to order to show cause," Oct. 26, 1850, *People Ex. Rel. Field v. Judge of the 8th Judicial District*, Supreme Court, No. 96 (40). In October, 1850, Field appeared in Judge Turner's court to show cause why his name should not be stricken from the attorneys' roll and began to read a statement critical of the judge. A witness later testified that when the judge cut him off, "Judge Field replied in a theatrical manner, 'What did you say, sir, thank you sir,' at the same time bowing backwards and forwards until he reached the door." "Testimony of W. H. Richardson," Apr. 9, 1851, in "Papers of Select Committee of Assembly on the matter of impeachment of Hon. William R. Turner," Legislative Papers, LP 1:1240, CSA.

99. The assembly committee collected a good deal of testimony on Judge William R. Turner's conduct, including depositions by County Judge H. P. Haun, Stephen Field, several other Yuba County attorneys, and various supporters and opponents of the judge. This testimony, together with the petitions from Yuba County, is filed in "Papers of Select Committee of Assembly on the matter of impeachment of Hon. William R. Turner," Legislative Papers, LP 1:1217-41, CSA. A petition from the members of the Bar of Nevada City asserted that Turner was "totally unfit" for the office of district judge. LP 1:1222. Concerning Judge Turner's conduct out of court, Field testified that, "I have seen him week after week almost every night gambling at a Faro Table in the Public gambling saloons of Marysville. I have seen him repeatedly reeling in the streets in a state of intoxication." "Deposition of Stephen J. Field," Mar. 20, 1851, LP 1:1236. H. H. Bancroft, *History of California*, VII: 196 (San Francisco, 1890), incorporates certain of Field's retrospective words in describing Judge Turner as "a southerner from the lone-star state, one who had, together with a narrow mind and bitter prejudices, the bowie-knife manners of that borderland." For Judge Turner's defense, see *Documents in Relation to Charges Preferred by Stephen J. Field and Others, before the House of Assembly of the State of California against William R. Turner, 1851* (San Francisco, 1853), 29 pp., which contains letters, addresses, and statements by Judge Turner and others favorable to the judge. For example, on p. 19 there is a "Letter from members of the Bar, Marysville, Nov. 8, 1850," addressed to the judge by eleven attorneys, which declares, "We do not hesitate to assert that in no Court in the State, will there be found more order and dignity, than in your own. . . ." A second edition of *Documents* was published in San Francisco in 1856.

100. *Journals of the Legislature, 1851* (n.p., 1851), pp. 1374, 1633, 1636-38.

101. *Cal. Stats.* (1851), 12. In 1867 the state assembly again named a "Special Committee on the Impeachment of the Hon. W. R. Turner" to investigate charges of high crimes and misdemeanors. Judge Turner elected this time to resign, and the charges were dropped. *Journal of the Assembly, 1867-8* (Sacramento, 1868), pp. 153, 266, 285, 286.

102. "Opinion & Judgment of the Court," July 16, 1853, *Howard v. West*, County Court-Civil, Humboldt County, No. 2. Born in Massachusetts in 1823, Justus E. Wyman attended college in Gorham, Maine, studied law with Judge Lott Clark in New York where he was admitted to practice, and came to California in 1850. In 1864 he purchased the *Humboldt Times* and moved to Eureka where he lived until his death in 1880. *History of Humboldt County, California*, 176, 177 (San Francisco, 1881). "Judge Wyman did not subdue the forest, nor break up the wild lands, nor drain the swamps, nor build ships or railroads, nor open up mines; but he was a builder, and in a sphere that was essential to the welfare of the county."



*Loc. cit.* He was county judge from 1853 to 1858 and from 1864 to 1876. *Executive Records*, 1850-75, No. 1058, CSA.

103. "Opinion of the Court," July 22, 1854, *Caldwell v. Eddy & Wicks*, County Court-Civil, Humboldt County, No. 5.

104. *Cal. Stats.* (1856), 133.

105. "Opinion of Court on Demurrer," May 21, 1860, *Ricks v. Duff*, County Court-Civil, Humboldt County, No. 40.

106. Of course some judges were less able and less successful than others. When, for example, James R. Reynolds, judge of first instance of the district of San Joaquin, resigned his office in February, 1850, because of complaints made against him, the local prefect urged the governor to commission as a replacement some suitable person "that is knot afraid of him self." G. D. Dickinson, Prefect of San Joaquin District, to Gov. Burnett, dated Stockton, Feb. 21, 1850, Secretary of State, Resignations, 1850, Dr 824, CSA. Some judges came under criticism for their personal habits and for the company they kept, as seen in a letter to the governor from El Dorado County in November, 1850: "We have . . . a Sheriff, Constable, Justices of the peace and Judges of Elections all Gamblers, and I heard it proclaimed in the streets at a meeting of near 1000 persons that our County Judge was proprietor of a bawdy house in this place." Osborne Russell to Gov. Burnett, dated Placerville, Nov. 13, 1850, Governor's Office, Notary Applications, 1850, El Dorado County, CSA.

107. A curious exception to the common law rule that a gambling debt, lacking consideration, cannot be collected at law was made by Sonoma District Judge Robert Hopkins in 1851 in a case involving \$500 won "at a game called Euchre." "I am of the opinion," said the judge, "that the \$500. claimed by deft. (being won in small sums at different times and not being a large sum, nor won at a banking game) is recoverable." *Gahan v. Neville*, 7th District Court, Sonoma County, Old Ser., No. 655. The supreme court, on the rule that money won at play cannot be recovered at common law, reversed the judgment and rendered judgment for plaintiff-appellant Gahan. 2 *Cal. Repts.* 81, 82. In 1852, John Blake was tried in the 4th district court in San Francisco on a charge of murder and sentenced to death. The trial judge, the district attorney, part of the grand and trial juries, all the county officers, and 14,000 citizens shortly afterward petitioned Gov. Bigler for clemency, whereupon the governor commuted Blake's sentence to two years' imprisonment and then pardoned him outright. District Judge Delos Lake, in stating the grounds for clemency, added, "Besides it is urged and perhaps with some degree of justice that it would be cruel to let this man suffer death, when so many persons of bad character, of more intelligence, & equally if not more criminal have escaped altogether through the misconduct of juries." D. Lake to His Excellency John Bigler, dated San Francisco, Apr. 11, 1855, Governor's Prison Papers, No. 846, CSA. For tales of colorful and eccentric judicial conduct in California during the early mining period, see H. H. Bancroft, *California Inter Pocula*, 582-657 (San Francisco, 1888). Typical of the superficial and limited view that the history of the law in the American West is largely the history of cattle thieves and highwaymen, of lynch law, ignorant justices of the peace, and hanging judges, is Wayne Gard's "The Law of the American West" in Jay Monaghan, ed., *The Book of the American West*, 261-322 (New York, 1963). The "law" is criminal law; civil law is scarcely recognized. An attempt to suggest that the history of law in the American West is more than "'hemp law,' and the heroics of outlaws and rustlers," is made by Carleton W. Kenyon in "Legal Lore of the Wild West: A Bibliographical Essay," in *California Law Review*, 56: 681-700 (May, 1968). Philip D. Jordan, *Frontier Law and Order: Ten Essays* (Lincoln, Neb., 1970), concentrates on "the nature of the law—statutes and ordinances—which the bad man and the evil woman transgressed."

108. A study of the bar of Wayne County (presently in the state of Michigan), of the period in which the county lay beyond or on the frontier, concludes, "Scant if any shreds of the vaunted 'frontier influence' appear in the manner in which the courts of record conducted their business, in the papers prepared by the lawyers, in the law applied, or in the precedents cited." Elizabeth Gaspar Brown, "The Bar on a Frontier: Wayne County, 1796-1836," in *American Journal of Legal History*, 14: 154 (April, 1970). In an incisive examination of "Territorial Courts and Law: Unifying Factors in the Development of American

Legal Institutions," in *Michigan Law Rev.* 61: 39-106 (1962); 61: 467-538 (1963), William Wirt Blume and Elizabeth Gaspar Brown find (p. 535) "two general attitudes and resultant influences attributable to frontier life: (1) A strong desire to have all statute law published locally so that reliance on laws not available on the frontier would be unnecessary—codes were welcome; (2) A lack of 'superstitious respect' for old laws and legal institutions; in other words, a readiness to make changes to suit new conditions." Other writings of Professor Blume in the *Michigan Law Review* relevant to this survey include: "Civil Procedure on the American Frontier," 56: 161-224 (December, 1957); "Criminal Procedure on the American Frontier," 57: 195-256 (December, 1958); "Probate and Administration on the American Frontier," 58: 209-46 (December, 1959); "Chancery on the American Frontier," 59: 49-96 (November, 1960); "Circuit Courts and the Nisi Prius System: The Making of an Appellate Court," 38: 289-338 (January, 1940). As regards the records of the supreme court and the general quarter sessions of the peace for the city and county of New York during the colonial period, Julius Goebel Jr., writes, "They reveal that in one outpost of Europe litigation was conducted as skillfully as at York or Bristol, and that the picture of an oafish frontier jurisprudence is a mirage of writers who have never blown the dust from indictment, pleading or judgment roll." Julius Goebel, Jr., "Law Enforcement in Colonial New York: An Introduction," in David H. Flaherty, ed., *Essays in the History of Early American Law*, 377 (Chapel Hill, N. C., 1969).

109. "An Act concerning Attorneys and Counsellors at Law" passed February 19, 1851, *Cal. Stats.* (1851), 48-51, provided that: "(1) Any white male citizen of the age of twenty-one years, of good moral character, and who possesses the necessary qualifications of learning and ability, shall be entitled to admission as Attorney and Counsellor in all the Courts of this State. (2) Every applicant for admission as Attorney and Counsellor shall produce satisfactory testimonials of good moral character, and undergo a strict examination, in open Court, as to his qualifications, by one of the Judges of the Supreme Court of this State." The district and county courts were authorized to follow the same procedure in admitting attorneys to practice in their respective courts. The "white male" qualification was changed to "any citizen" in 1878. *Acts Amendatory of the Codes of California, 1877-8*, 99. Prior to the act of 1851, each court admitted such attorneys as it chose. For example, on its opening day on May 6, 1850, the 6th district court in Sacramento County admitted five attorneys to practice. *Minutes—Civil*, 6th District Court, Sacramento County, A, 1, CSA. A typical recording of admission in the early decades reads: "Now comes B. F. Ankerry, Esqr. and moves that the Court that H. A. Scofield be admitted an Attorney and Counsellor of this Court, and thereupon the Court appoints as a Committee to examine said applicant Messrs. W. H. Weeks, C. Cole and G. W. Bowie, when after due proceedings had, said Committee make their report, and after further examination of said applicant had in open Court. It is ordered by the Court that said H. A. Scofield be admitted as an Attorney and Counsellor of this Court upon his compliance with the Statute in such cases made and provided." *Minutes—Civil*, Feb. 10, 1859, 6th District Court, Sacramento County, I, 7, CSA. In criticizing the defects exhibited in the transcript of a cause heard in 1859, appellant's counsel, Joseph W. Winans, rhetorically declared, "The error, in its scope, extends from title-page to colophon; in its weight is enough to sink a line-of-battle ship. The points already stated are quite sufficient to reverse the judgment, although if they were not, new points could be created, *ad libitum*, from the superabounding imperfections of the record." "Brief of Appellant Brannan," p. 33, *Smith v. Brannan et al.*, Supreme Court, No. 2358 (6058).

110. The form of an information, indictment, complaint, and summons may be examined in the originals of such documents in the case files.

111. *Cal. Stats.* (1850), 428. "There shall be in this State but one form of Civil Action, for the enforcement or protection of private right, and the redress or prevention of private wrongs." *Cal. Stats.* (1851), 51.

112. F. W. Maitland, *The Forms of Action at Common Law*, 2 (Cambridge, England, 1963).

113. The court minute books catalog the actions. See, for example, *Record—First Magistrate*, Aug. 2-Nov. 6, 1849, District of Sacramento, CSA; *Minutes—Civil*, 6th District Court,

Sacramento County, A, B, CSA; *Record Criminal*, 1850-52, Court of Sessions, Sacramento County, CSA.

114. *Bristol v. Potter & Brown*, Court of First Instance, District of Sacramento, Civ. No. 418.

115. *Rolla et al. v. Codlin & Smith* and *Lester et al. v. Codlin*, *Record First Magistrate*, Aug. 2-Nov. 6, 1849, District of Sacramento, 7, CSA.

116. "Every person unlawfully committed, detained, confined, or restrained of his liberty, under any pretence whatever, may prosecute a Writ of Habeas Corpus, to inquire into the cause of such imprisonment or restraint." *Cal. Stats.* (1850), 334. For examples of writs of habeas corpus, see "In the Matter of the Petition of R. R. Roberts for a Writ of Habeas Corpus," Feb. 8, 1854. *Roberts v. Beckwith*, County Court—Civil, Humboldt County, No. 3; "People of the State of California [Ah Fong, Kim Sing, Ah Kow] on Writ of Habeas Corpus," Jan. 13, 1856, 6th District Court, Sacramento County, Misc. "In the Matter of Emily McDonogh. Petition for Habeas Corpus," Apr. 15, 1859, 6th District Court, Sacramento County, Misc.

117. For issuance of a mandamus in July, 1852, against the state controller, the state treasurer, and the governor, see *Wyatt v. Pierce, Roman, & Bigler*, 7th District Court, Sonoma County, Old Ser., No. 848. See also "Peremptory Mandamus," Jan. 29, 1861, *Stowell v. Ellis*, 7th District Court, Sonoma County, Old Ser., No. 213.

118. For writs of injunction, see *Phelps v. Ford & Gibson*, Aug. 27, 1851, 7th District Court, Sonoma County, Old Ser., No. 38; *Muldrow v. Norris*, May 28, 1850, May 21, 1852, 6th District Court, Sacramento County, 1st Ser., No. 474; *Cooper v. Cantrell*, Mar. 7, 1853, 7th District Court, Sonoma County, Old Ser., No. 55.

119. For writs of certiorari, see "Writ of Certiorari to Probate Court," July 18, 1853, *In the Matter of the Agency of Mary Scott, Infant*, 7th District Court, Sonoma County, Old Ser., No. 104; "S. Norris vs The Board of Supervisors of Sacramento Co. Writ of Certiorari & Return," Feb. 7, 1856, *Norris v. Muldrow*, 6th District Court, Sacramento County, 2nd Ser., No. 2559; "Writ of Certiorari," Mar. 29, 1864, *Brown v. Dupee*, County Court—Civil, Humboldt County, No. 79.

120. The first state legislature provided that in both civil and criminal cases the jury should consist of "twelve men accepted and sworn to try the issue." *Cal. Stats.* (1850), 300, 441. The second legislature provided that the parties in both classes of cases could consent to a lesser number of jurors than twelve, but no less than three. *Cal. Stats.* (1851), 75, 247. Thereafter, by agreement of the parties, six-man juries were frequently impanelled. The court's order to the sheriff usually called for him to summon the trial jurors "from the body of the county and not from the bystanders." For an example, see "Order of court to Sheriff G. N. Vischer," Mar. 9, 1857, *Bailey v. Johnson*, Marin County Court, No. 17.

121. "Petition of Jurors to Gov. Bigler," (1852), in "Proceedings in case of Pastorio," Governor's Prison Papers, No. 679, CSA.

122. *Sutter et al. v. Chapman*, (1849), Court of First Instance, District of Sacramento, Civ. No. 213.

123. *Raymond v. Young*, (1857), Justice of the Peace, Eureka Township, in "Transcript of Docket," County Court—Civil, Humboldt County, No. 30.

124. "People v. Thompson, July 17, 1851," in *People v. Carruthers et al.*, July 10, 1851, Court of Sessions, Sacramento County, No. 138.

125. "Sheriff's return, writ of execution," Oct. 13, 1849, *Harman & Chatfield v. Sears*, Court of First Magistrate, District of Sacramento, Civ. No. 23. The language of the writ followed the traditional form; it commanded the sheriff "that of the goods and chattels, lands and tenements of the said John Sears you cause to be made the debt damages and costs aforesaid according to law."

126. "Sheriff's return, writ of execution," Nov. 19, 1849, *Sutter et al. v. Chapman*, Court of First Instance, District of Sacramento, Civ. No. 213.

127. "Sheriff's return, writ of execution," Aug. 13, 1850, *Rogers & Burnett v. Madden*, County Court—Civil, Sacramento County, No. 4.



128. "Sheriff's return, writ of execution," No. 30, 1850, *Brannan et al. v. Pickett*, 6th District Court, Sacramento County, 1st Ser., No. 190.

129. "Sheriff's returns, writs of attachment and execution," July 5, 1854, *Ayer v. Potter & Ayer*, 7th District Court, Sonoma County, Old Ser., No. 45. In *Fitzroy & Fitzroy v. Snow*, a Corte Madera justice case in 1857, the constable levied on the defendant to the extent of "two tame California Cows and two calfs. One small greene Boat a plunger known as Geo. F. Snows Boat. One white Sow. Six hens more or less." County Court, Marin County, No. 20.

130. See "Sheriffs returns, writs of execution," Dec. 21, 1853, *Howard v. West*, County Court—Civil, Humboldt County, No. 2; Feb. 5, 1851, *Stewart v. Anderson*, 7th District Court, Sonoma County, Old Series, No. 39; Oct. 30, 1849, *Watson v. Morrison*, *Record—First Magistrate*, Aug. 2-Nov. 6, 1849, District of Sacramento, 77, CSA; May 2, 1850, *Parsons v. Roubidoux*, *ibid.*, 61.

131. "Sheriff's return, writ of execution," Apr. 17, 1850, *Hall v. Tanner*, Alcalde's Court, Natoma District, Sacramento County, CSA.

132. *Stephens v. Torney*, Nov. 2, 1849, Court of First Instance, District of Sacramento, Civ. No. 149.

133. *Rogers & Burnett v. Madden*, Nov. 22, 1850, County Court—Civil, Sacramento County, No. 4.

134. *Walker v. McGuire*, Nov., 1849, *Record—First Magistrate*, Aug. 2-Nov. 6, 1849, District of Sacramento, 74, CSA.

135. "Sheriff's return, writ of execution," Apr. 18, 1850, *Bailey v. Torney*, Court of First Instance, District of Sacramento, Civ. No. 234.

136. *People v. Muldrove*, Feb., 1850, *Court of First Instance—Criminal*, District of Sacramento, 29, CSA.

137. *People v. Godfrey et al.*, July, 1850, Court of Sessions, Sacramento County, No. 9, *Record Criminal*, Court of Sessions, Sacramento County, 10, CSA.

138. *People v. Reed*, July, 1850, Court of Sessions, Sacramento County, No. 10, *Record Criminal*, Court of Sessions, Sacramento County, 4, CSA.

139. *People v. Fleming & others*, Apr., 1850, *Court of First Instance—Criminal*, District of Sacramento, 68, 69, CSA.

140. *Cal. Stats.* (1851), 406, 407.

141. "Annual Message of Governor," Jan. 6, 1851, *Journals of the Legislature*, 1851 (n.p., 1851), 22, 23. The governor told the legislature that, "The State of Tennessee was infested, at an early day, with bands of horse thieves, and she was forced to adopt capital punishment in such cases; and a few years' rigid and prompt execution of the law effectually checked the commission of the crime."

142. *People v. Carruthers et al.*, Court of Sessions, Sacramento County, No. 138.

143. *People v. Tanner*, Court of Sessions, Yuba County, in "Transcript on Appeal," Supreme Court, No. 304 (776).

144. *People v. Tanner*, 10th District Court, Yuba County, in "Transcript on Appeal," Supreme Court, No. 304 (776); "Opinion," Supreme Court, *ibid.*; *Minutes*, Supreme Court, B. 213, 214.

145. The law permitting imposition of the death sentence for robbery and grand larceny was repealed in 1856. *Cal. Stats.* (1856), 220. A bill before the legislature in 1853 to repeal this law brought a petition from San Francisco in vigorous opposition: "Your petitioners are firmly convinced that the present quiet and orderly state of our community owes its existence in a great measure to the passage of the law referred to. . . . In a community like that in our highly favored state, where labor is so amply and so generously rewarded, *necessity* can seldom be the parent of *crime*, and that none but the most hopelessly depraved, for whom the punishment, by mere imprisonment, has little or no terrors, would resort thereto." Significantly, the signers of the petition included many members of the San Francisco Committee of Vigilance of 1851, among whom were S. E. Woodworth, F. Argenti, Wm. D. M. Howard, James King of W. W. L. Bromley, and Bluxom & Co. Petitions to Legislature, 1853-(7), CSA. For a list

of death penalty executions under the 1851 law, see Mary Floyd Williams, *History of the San Francisco Committee of Vigilance of 1851: A Study of Social Control on the California Frontier in the Days of the Gold Rush*, 155, 156, n. 49 (Berkeley, 1921). Of 487 inmates in San Quentin State Prison in 1855, 312 or almost two-thirds had been sentenced for the crime of grand larceny, 37 for assault with intent to commit murder, 29 for manslaughter, 21 for robbery, 19 for assault with bodily injury, 18 for burglary, 10 for murder, and the remainder for one or another of 11 other criminal acts. "Report of the Directors of the State Prison and Accompanying Documents," *Appendix to Senate Journal, 1856*, p. 47 (n.t.p.).

146. The writer is much indebted to the work of James Willard Hurst of the University of Wisconsin Law School for guidance in the study of the social functions of the law, particularly with respect to his "The Law in United States History," in *Proceedings of the American Philosophical Society*, 104: 518-26 (October, 1960); *Law and Social Process in United States History* (Ann Arbor, 1960); *The Growth of American Law: The Law Makers* (Boston, 1950); and "Legal Elements in United States History," in Donald Fleming and Bernard Bailyn, eds., *Perspectives in American History, Volume V, 1971: Law in American History*, 3-92 (Cambridge, Mass., 1971). "For studying social process," Hurst writes, "the most useful definitions of law are made in terms of social functions of law. What are the most distinctive and most important jobs we have asked the law to do in this society?" "The Law in United States History," in *Proceedings*, 518. Suggestive of the research value of legal records is Hurst's comment that, "these social functions of law mean that legal processes produce uncommonly valuable raw materials for studying institutions, transactions, and events whose main focus lies outside the law." *Ibid.*, 520. David H. Flaherty, "An Approach to American History: Willard Hurst as Legal Historian," in *American Journal of Legal History*, 14: 222-34 (July, 1970), suggests that "the resistance of the historical profession to the study of legal history can best be overcome through the vehicle of Hurst's writings." E. A. Hoebel, in surveying "The Functions of Law" in Richard D. Schwartz and Jerome H. Skolnick, eds., *Society and the Legal Order: Cases and Materials in the Sociology of Law*, 17 (New York, 1970), writes that "purposive definition of personal relations is the primary law-job. . . . It [the law] sets the expectancies of man to man and group to group so that each knows the focus and the limitations of its demand-rights on others, its duties to others, its privilege-rights and powers as against others, and its immunities and liabilities to the contemplated or attempted acts of others. . . . It is the ordering of the fundamentals of living together."

147. Suits on small claims were common. Delahanty Shelly & Co., for example, sued Charles Talcott in the San Rafael justice court in 1858 for goods delivered in the amount of \$17.50, and in the same year in the Bolinas justice court John Burk sued Solomon Perkins for \$5.25 due for blacksmithing services. County Court, Marin County, No's. 28 and 29, respectively.

148. *Minutes—Civil*, 6th District Court, Sacramento County, A, 7, 8, 10, 13, 27, CSA.

149. *Simonton v. Wager et al.*, 8th District Court, Humboldt County, No. 44.

150. *Manheim v. Woods & Lewy*, County Court—Civil, Humboldt County, No. 12.

151. *Boggs v. Horrell & McCombs*, 7th District Court, Sonoma County, Old Ser., No. 47.

152. *Robinson v. Davis*, 8th District Court, Humboldt County, No. 117.

153. Case files (1st Ser., 2nd Ser., Cases Pending), General Indexes (Plaintiff, Defendant), 1850-79, 6th District Court, Sacramento County, CSA.

154. "Decree and Award of the Arbitrators" and "Decree on Report of Arbitrators," *Williams v. Sanford*, Court of First Instance, District of Sacramento, Civ. No. 468; *Judgment Book*, Court of First Instance, District of Sacramento, 194, CSA. For the principles that guided the arbitrators of an 1850 Sacramento case, see "Bill of Exceptions," Aug. 2, 1851, *Muldrow v. Norris*, 6th District Court, Sacramento County, 1st Ser., No. 474. For other examples of arbitration in Sacramento in 1850, see *Baker v. Prince*, No. 114, *Minutes—Civil*, 6th District Court, Sacramento County, A, 90, CSA, and *Turner v. Prince*, No. 147, *loc. cit.* For a Sonoma County agreement of arbitration in 1851, see *Phelps v. Ford & Gibson*, 7th District Court, Sonoma County, Old Ser., No. 38.

155. *Benedict v. Barstow et al.*, in *Minutes—Civil*, 6th District Court, Sacramento County, B, 263, C, 107, 108, CSA; 6th District Court, 1st Ser., No. 551.

156. "Reward of Arbitration," Apr. 28, 1862, *Bishop v. Whitcomb*, Justice of the Peace, Franklin Township, Sacramento County.

157. *People v. Kleese*, Justice of the Peace, Sacramento City, in Court of Sessions, Sacramento County, No. 4.

158. *People v. Ross*, Justice of the Peace, Sacramento City, in Court of Sessions, Sacramento County, No. 104.

159. California contributed important chapters to the history of lynch law and vigilantism. "That the wicked rule is reason all the more that the righteous should rally," said H. H. Bancroft in *Popular Tribunals*, I: 26 (San Francisco, 1887), a book that surveys the history of the San Francisco Committee of Vigilance of 1851 and vigilance movements elsewhere in California during the gold rush and early statehood years. Bancroft's *Popular Tribunals*, II (San Francisco, 1887) treats the San Francisco Vigilance Committee of 1856. Mary Floyd Williams, *History of the San Francisco Committee of Vigilance of 1851: A Study of Social Control on the California Frontier in the Days of the Gold Rush* (Berkeley, 1921), is a masterful analysis of the work of the first of the two great San Francisco popular tribunals. For a scholarly review of the primary sources and basic historical treatments of the 1856 San Francisco Vigilance Committee and for the rationale of vigilantism generally, see Doyce B. Nunis, Jr., *The San Francisco Vigilance Committee of 1856: Three Views*, (The Los Angeles Westerners Publication No. 103, Los Angeles, 1971), 9-24, and bibliography, 170-76. For the history of American vigilantism, see John W. Caughey, *Their Majesties The Mob* (Chicago, 1960); Laurence Veysey, ed., *Law and Resistance: American Attitudes Toward Authority* (New York, 1970); Richard Maxwell Brown, "The American Vigilante Tradition," in Hugh Davis Graham and Ted R. Gurr, eds., *Violence in America: Historical and Comparative Perspectives: A Report to the National Commission on the Cause and Prevention of Violence*, I: 121-80 (Washington, 1969). Richard Maxwell Brown, "Legal and Behavioral Perspectives on American Vigilantism," in Donald Fleming and Bernard Bailyn, eds., *Perspectives in American History: Volume V, 1971: Law in American History*, 95-144 (Cambridge, Mass., 1971), considers "the attitudes of lawyers, judges, and legal critics—the legal illuminati—that emerged in late nineteenth- and early twentieth-century America in regard to vigilantism and lynch law."

160. H. Ewalt to T. K. Willson, Pittsburgh, Pa., dated Stockton, Oct. 10, 1850, *Willson v. Ewalt*, 7th District Court, Sonoma County, No. 845-(70, 71). Sacramento merchant Mark Hopkins, writing to his brother in the same month, expressed a similar view: "The security of persons & property is much less than under the former local regulations by force of public opinion and Lynch law—Then Rogues & Desperadoes feared justice, now they fear only the law, which besides delay, is often technically interposed as a shield from Justice—I have always been opposed to Lynch law—but as we are situated in some parts of California it sometimes seems to me, that in the absence of prisons & other appliances for the promotion of legal justice, no code provides so good redress as Lynch law." Mark Hopkins to Moses Hopkins, dated Sacramento City, Oct. 13, 1850, in John E. Pomfret, "Mark Hopkins' Formative Years in California," in *Huntington Library Quarterly*, 26: 86 (Nov., 1962).

161. "It has been many times remarked," wrote H. H. Bancroft, "that crime was much increased in frequency after the adoption of a state government, as if the laws were chargeable with the crimes; but the truth was that the laws were not chargeable with the punishment." H. H. Bancroft, *History of California*, VII: 193 (San Francisco, 1890); his chapter IX, "Criminal and Judicial, 1849-1879," provides both general statements and illustrative detail. Peter H. Burnett summed up the California conditions from personal experience: "For some eight or ten years after the organization of our State government, the administration of the criminal laws was exceedingly defective and inefficient. This arose mainly from the following causes: 1. Defective laws and imperfect organization of the Courts; 2. The incompetency of the district attorneys, who were generally young men without an adequate knowledge of the law; 3. The want of secure county prisons, there being no penitentiary during most of that time; 4. The great expense of keeping prisoners and convicts in the county jails; 5. The difficulty of enforcing the attendance of witnesses; 6. The difficulty of securing good jurymen, there being so large a proportion of reckless, sour, disappointed, and unprincipled men then in the country; 7. The unsettled state of our land-titles, which first induced so many men to



squat upon the lands of the grantees of Spain and Mexico, and then to steal their cattle to live upon." *Recollections and Opinions of an Old Pioneer*, 386 (New York, 1880).

162. The first bill signed into law in the first session was "An Act concerning the Public Archives," January 5, 1850; the last bill was signed on April 22, 1850. *Cal. Stats.* (1850), 45, 456.

163. *Cal Stats.* (1850), 92, 341, 342.

164. "Letter to J. Carrillo, Prefect of Santa Barbara, May 15, 1850," Secretary of State, Resignations, 1850, Dr. 824, CSA.

165. "Riley Gregg com. returned. Notary Public, Napa Co," Secretary of State, Resignations, 1850, Dr. 824, CSA.

166. "Petition of John Johnson et al. praying remission of fine," Nov. 17, 1851, Petitions to Governor, 1851, CSA. Governor McDougall remitted the fines.

167. Sec. of War W. L. Marcy to Riley. dated Washington, D.C., Oct. 10, 1848, 31st Cong., 1st sess., *House Ex. Doc.* No. 17, 263, 264. Lt. W. T. Sherman, writing from Monterey to the military commission in Los Angeles in October, 1847, enclosed extracts from the statutes of Missouri and from a digest of the laws of Texas defining and punishing the crime of burglary, saying that "These are the only law books I have access to, that treat the subject." Sherman to Asst. Surgeon J. S. Griffin, Judge Advocate, Los Angeles, dated Monterey, Oct. 20, 1847, 31st Cong., 1st sess., *House Ex. Doc.* 17, 403. On the scarcity of law books, see Noel C. Stevenson, "The Glorious Uncertainty of the Law, 1846-1851," in *Journal of the State Bar of California*, 28: 374-80 (September-October, 1953).

168. *Papy & Jones v. Wilson*, Nov. 21, 1849, Court of First Instance, District of Sacramento, Civ. No. 258.

169. "Sheriff's return, writ of execution," Mar. 25, 1850, and "Report of Jury of Consultation," Mar. 25, 1850, in *Harrison v. Nathan*, Court of First Instance, District of Sacramento, Civ. No. 447.

170. "Notes of Citizens Council Summoned by the Sheriff," Mar. 26, 1850, *loc. cit.* A dispute over the jurisdiction of the justice court of Novato Township in Marin County arose in 1855 in *Magee v. Wells*. Wells contended that since he was a resident of San Rafael Township, the Novato court lacked jurisdiction over his person, but the Novato justice decided otherwise. On appeal to the county court it was shown that the San Rafael justice, Egbert Van Allen, who made his living running a boat between San Rafael and San Francisco, had been at the San Francisco end of the line on the day the case had been brought in the Novato court, and for this reason the jury found that there had been no justice court in San Rafael at that time and that Magee should have the judgment. "Justice transcript" and "Statement of Case." *Magee v. Wells*, County Court, Marin County, No. 11.

171. *Parker v. Shepard et al.*, Court of First Instance, District of San Francisco, in "Transcript from Record," Supreme Court, No. 14 (620). For comment on Judge Almond's methods, see Peter H. Burnett. *Recollections and Opinions of an Old Pioneer*, 343, 344 (New York, 1880), and Mary Floyd Williams, *History of the San Francisco Committee of Vigilance of 1851*, 111 (Berkeley, 1921). In February, 1850, Judge Almond tendered his resignation to the governor, effective on the election of a district judge. "My health," he wrote, "is evidently failing rapidly under the heavy and increasing labors and responsibilities of the office, and self preservation requires the course I have taken." Secretary of State, Resignations, 1850, Dr. 824, CSA.

172. "Petition of the citizens of Columbia, Tuolumne County," Jan. 12, 1853. Petitions to Legislature, 1853-(2), CSA.

173. W. B. Harrison to the Governor, dated Shasta, Jan. 5, 1852, Secretary of State, Resignations, 1852, Dr. 824, CSA. In February, 1850, R. A. Wilson attempted to give up the judgeship of the Sacramento court of first instance, but Governor Burnett would not accept his resignation. Wilson estimated he would be out of pocket "between 2 & 3000 \$ any way by this judgeship, & now I shall have to pay or loose time to the amount of some \$2,000. more." In a petition to the legislature for redress, Wilson later described the dilemma that had confronted judges of the court of first instance with criminal jurisdiction only: "That being the only Judge in the State restricted from the exercise of civil jurisdiction of every discription he

was deprived of the means enjoyed by Judges & Alcaldas of making a livelihood out of the fees arising from litigants—and there being no jail, or other place for confining prisoners, within the District, there was no means of enforcing the payment of fines or forfeitures, & there were no district, municipal, or other funds out of which to pay the officers necessary for conducting the criminal administration.” R. A. Wilson Resignation, Feb. 9, 1850, Secretary of State, Resignations, 1850, Dr. 824, CSA; Wilson to Governor Burnett, Mar. 6, 1850, Governor’s Office, Notary Applications, 1850, San Francisco County, CSA; “Petition of R. A. Wilson for payment of Salary,” Jan. 9, 1851, Petitions to Legislature, 1851-(2), CSA.

174. *Cal. Stats.* (1850), 416-23; (1851), 35-48; (1855), 81-99.

175. *Brockman v. Combs*, 7th District Court, Sonoma County, Old Ser., No. 52.

176. “Petition From the Court of Sessions of Los Angeles County relative to reduction of costs in criminal cases.” Jan. 15, 1851, Petitions to Legislature, 1851-(4), CSA.

177. “Petition from Attys reduce fees in Sac Courts,” Mar. 17, 1855, Petitions to Legislature, 1855-(85), CSA.

178. *Cal. Stats.* (1850), 118.

179. “Grand Jury report, January term, 1851,” County Court, Sacramento County. Misc.

180. “Report of Grand Jury, August Term, 1856,” *loc. cit.*

181. “Petition from Citizens of Napa County,” Apr. 30, 1851, Petitions to Legislature, 1851-(82), CSA.

182. “Testimony of O. P. Stidger,” Mar. 31, 1851, in “Papers of Select Committee of Assembly on the matter of the impeachment of Hon. William R. Turner,” Legislative Papers, LP 1:1238, CSA.

183. Sentiment against holders of land titles through Spanish-Mexican grants was general. Andrew Randall, for example, suing on an account due in the Marin County court in 1854, described how his lands, whose titles derived from old California grants, had been occupied by citizens “professing to believe that it is public land of the United States and they will hold the same as preemptors,” and how the squatters had killed his cattle and pulled down his fences and held him up before the public as an oppressive, unjust man. “So strong is the public bias or prejudice existing in the public mind against him,” Randall told the court, “that he can not have a fair and impartial trial in the above cause in the County of Marin.” He therefore requested and was granted a change of venue. *Randall v. Mershon*, County Court, Marin County, No. 4.

184. “Sheriff’s return, writ of execution,” Nov. 19, 1849, *Sutter et al. v. Chapman*, Court of First Instance, District of Sacramento, Civ. No. 213.

185. *Robinson et al. v. Cunningham et al.*, Court of First Instance, District of Sacramento, Civ. No. 310.

186. *Loc. cit.*

187. *Rogers & Burnett v. Madden*, County Court—Civil, Sacramento County, No. 4.

188. *Rogers & Burnett v. Madden*, Recorder’s Court, Sacramento City, in “Transcript on Appeal,” County Court—Civil, Sacramento County, No. 4.

189. *County Court Records, Civil & Criminal*, Sacramento County, A, 18, CSA.

190. *History of Sacramento County, California* (Thompson & West, Oakland, 1880), 52.

191. Josiah Royce, using this Sacramento incident for purposes of a “higher” case study, wrote that, “A lofty and abstract idealism . . . appears, then, in this little story, as coming into contact with a very concrete problem of social existence—a problem about land ownership, about the rights and privileges of poor men, and about the good order of a new community. . . . The Idealist gets into conflict with the sheriff; the Higher Law has to face the processes of the courts; a company of homeless wanderers have to solve, in a moment, a critical problem of civilization. . . . In miniature we have then, in this case, a process of universal meaning.” Josiah Royce, “An Episode of Early California Life: The Squatter Riôt of 1850 in Sacramento,” in *Studies of Good and Evil*, 298, 299 (New York, 1899). The character of the natural, or “higher,” law as the standard order of morality has been elucidated as follows: “Morality means conformity or agreement with the natural law; legality means conformity or agreement with civil law. Morally good acts ought to be always legal, and civil law can incur blame

on this head in either one of two ways: It can prescribe acts diametrically opposed to the natural law, or it can forbid acts prescribed by the natural law. Needless to remark, every such enactment is void of all moral force, no law at all; and on the principle that we must obey God rather than man, resistance becomes a duty." Owen A. Hill, S. J. (professor of natural law and canon law, Georgetown University School of Law), "The Natural Law," in *Georgetown Law Journal*, 13: 370 (May, 1925), extracted in Jerome Hall, ed., *Readings in Jurisprudence*, 84 (Indianapolis, 1938). Declared Senator William H. Seward, in the course of the debate in Congress over Henry Clay's compromise resolutions, in the year of the Sacramento squatter riot, "But there is a higher law than the Constitution, which regulates our authority over the domain, and devotes it to the same noble purposes." *Appendix to Congressional Globe*, 31st Cong., 1st sess., XXII, Part I, 265 (Washington, 1850). Aristotle stated this concept in a more practical way in the 4th century B.C.: "If the written law is unfavourable to our case, we must appeal to the universal law and to the principles of equity as expressing justice of a higher order." J. E. C. Welldon, trans., *The Rhetoric of Aristotle*, 101 (London, 1886).

192. For details of the Sacramento squatter riot of 1850, see *History of Sacramento County, California*, 50-56 (Thompson & West, Oakland, 1880); H. H. Bancroft, *History of California*, VI: 329-34 (San Francisco, 1888); Josiah Royce, "The Squatter Riot of '50 in Sacramento: Its Causes and Its Significance," in *Overland Monthly*, 2nd Ser., VI: 225-46 (September, 1885). Royce's "An Episode of Early California Life" cited in footnote 191 is largely a reprinting of his 1885 *Overland* article.

193. "Petition [of John F. Madden] for mandamus against judgment of Sacramento County Court," Nov. 25, 1850, and "Opinion," *Madden v. Rodgers et al.*, Supreme Court, No. 121 (88).

194. *People v. Carruthers et al.*, Court of Sessions, Sacramento County, No. 138. The accused were Owen Carruthers, W. B. Robinson, James Gibson, and John Thompson; James Wilson was the victim of the robbery.

195. *Record Criminal*, Court of Sessions, Sacramento County, 125, 126, CSA.

196. *Loc. cit.*

197. *Record Criminal*, Court of Sessions, Sacramento County, 126-39, CSA.

198. Carruthers received the sentence to the penitentiary.

199. On August 20, 1851, two days before the scheduled hanging, the governor respited the execution of Robinson's sentence to September 19. *Executive Records*, No. 1058, 340, CSA; *History of Sacramento County, California*, 126 (Thompson & West, Oakland, 1880).

200. *People v. Lusk*, Oct. 21, 1851, Recorder's Court, City of Sacramento. It is an American belief, writes Professor Hurst, that "there should be no center of secular power which was not in some way subject to review by another center of such power." James Willard Hurst, "The Law in United States History," in *Proceedings of the American Philosophical Society*, 104: 518 (October, 1960).

201. Blackstone, in his account of the English courts of criminal jurisdiction, states that, "The court of general *quarter sessions* of the peace is a court that must be held in every county, once in every quarter of a year. . . . It is held before two or more justices of the peace. . . . The jurisdiction of this court by statute 34 Edw. III, c. 1 extends to the trying and determining of all felonies and trespasses whatsoever: though they seldom, if ever, try any greater offence than small felonies within the benefit of clergy." William Blackstone, *Commentaries on the Laws of England*, IV: 268 (Oxford, England, 4th ed., 1770).

202. *Howard v. West* (1853), County Court—Civil, Humboldt County, No. 2; *Magee v. Wells*, Justice of the Peace, Novato Township, in "Justices transcript," County Court, Marin County, No. 11.

203. "Complaint," Oct. 13, 1858. *Wilson v. Griggs*, Justice of the Peace, Eel River Township, in County Court—Civil, Humboldt County, No. 32; G. D. G. Hall, ed., *The Treatise on the Laws and Customs of the Realm of England Commonly Called Glanvill*, 145 (London, 1965).



# REVIEWS

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Charles Wollenberg, *Reviews Editor*

## Library Resources: Potpourri of Graphic Materials in the Los Angeles Federal Records Center

NORMAN E. TUTOROW, *former chief of the Archives Branch at the Los Angeles Federal Records Center*

DIRECTORS OF PHOTOGRAPH COLLECTIONS AND WRITERS who use well-known graphic sources to illustrate books and articles are often familiar with the holdings of the Library of Congress and the National Archives, but few are aware of the wealth of illustrative materials that lie near at hand in the dozen or so branches of the National Archives across the country known as Federal Records Centers.<sup>1</sup> This article is not intended to explore the contents of the central files of the National Archives or the materials housed in its various Archives Branches—not even the 300,000 cubic feet of historical and administrative records of the Los Angeles center. Rather, it deals exclusively with graphic materials contained in the collections of the Los Angeles Federal Records Center.

The Los Angeles center services over seventy federal agencies, many of which have photographs filed among their records. In some holdings the photos are incidental to the written documents, but in other cases they are paramount and form the core of the collection.

Among the center's best arranged photograph collections—and therefore most useful to researchers—are the series of illustrated project histories compiled by various federal agencies during the 1930's. Written by the Bureau of Reclamation construction engineer or by various project construction engineers, in words and pictures these works tell the stories of a number of New Deal projects in the Southwest.

Chronologically first and most complete in scope and thoroughness is the twenty-seven volume *History of the Boulder Dam Project*, which covers the years 1931-57. Each volume contains a register of notable visitors to construction sites, drawings and maps, a chronological table of major events, a general description of the project itself, summaries of outstanding advancements, engineering reports, and correspondence on a variety of matters. To the historian, the appendices and bibliography are of special value, for they contain correspondence, memoranda, a catalog of committee and board members, and exhaustive lists of newspaper and magazine articles on the Boulder Dam Project, with all essential bibliographical data. All volumes are thoroughly indexed and contain a list of photographs, with captions and page numbers included for ease of identification and location. In all, this set contains over 450 pictures and almost twice as many charts, drawings, and maps. The photographs show notable visitors (including presidents, senators, and commissioners), construction scenes with workers and equipment, natural development of the areas under construction, the dam itself in various stages of construction, water supply routes and pumping stations, boaters on Lake Mead, and scores of pictures of Boulder City.

Another major set in the center's collection is the twenty-seven volume *History of the Yuma Project*. The story of the Arizona irrigation project dates back to 1912, when the first operations report was submitted, but the materials in this center span only the period 1931-56. In format, contents, and style, the records differ very little from the Boulder Dam history. (Detailed tables of contents compensate for some partially indexed or unindexed volumes.) The 1931 volume contains a catalog of "previous histories forwarded," which lets the researcher who wants to probe the early years know what is available. Altogether, the volumes for 1931-51 have approximately 150 glossy photographs and fifty maps, drawings, and charts; those covering the period 1952 to 1956 contain a number of charts and drawings, but no pictures.

The third significant set of compiled histories in the Los Angeles collection is the nineteen-volume *Project History of the All-American Canal* which covers the years 1934-52 in the history of the important Southwest irrigation project. The general format and contents are similar to those histories previously described; the major difference is that this set has less written material and far more pictures and drawings—over 650 pictures and 500 maps and drawings. The pictures illustrate major events in the construction and operation of the canal, with a considerable number of them showing the California countryside before, during, and after the construction project. There are a few pictures of the All-American and the Imperial Dam Desilting Works.

Similar again in format and contents is the twenty-volume *History of the Gila Project*, compiled between 1936 and 1955 by the office of the construction engineer. The textual materials relating to the Gila Valley irrigation project of the Reclamation Bureau deal with every aspect of the project, beginning with the initial report on the plans. Included are cost estimates and reports on the feasibility of the proposed project and a detailed statistical summary of construction contracts awarded as late as 1955. Each volume contains separate published pamphlets on schedules, specification, and drawings. The twenty volumes contain over 350 photographs and an estimated 1000 charts and graphs. Scores of photos capture the virgin land before construction—with valencia orange groves and cotton fields intact and sheep grazing undisturbed. Other pictures show initial grading, drilling of tunnels, excavations, and the laying of concrete lining for canals, as well as workers and equipment.<sup>2</sup>

For historians and researchers these illustrated project histories represent a cornucopia of historical sources. Few records chronicle history as well as the pure graphic materials in the center's custody. Yet, these histories, among the most valuable of the collections, are rarely used, primarily because their existence is not widely known.

A second category of materials, the agency files, are among the most valuable and most neglected sources of illustrations in any center's collection. Old records of the Bureau of Public Roads (since 1966 under the Department of Transportation) are some of the oldest and, historically, the most priceless in the Los Angeles center. The picture file covers, for example, many aspects of Arizona road-building projects from 1933-38.

Among other agency records, one of the most useful picture collections in, perhaps, any Federal Records Center is found in the Forest Service records. The wide variety of materials in these files continues to surprise researchers who soon discover much more than the anticipated forest scenes. For instance, this group contains many pictures of controlled forest fires, set for purposes of experimentation, and wild forest fires. Since the Forest Service's fire laboratory studies the causes, spread, and consequences of fires, this collection contains unusual pictures unrelated to the Forest Service's activities. There are, for example, hundreds of 8 x 10 inch glossies of the burning of the Los Angeles community of Watts in the 1965 riots. These include fire fighters, looters, burned buildings, police and national guard units, and aerial pictures of overall damage after the fires were extinguished. Graphic materials in the Forest Service records also contain envelopes of newspaper clippings dealing with major fires in many other states, and maps and weather data related to fire research.

One of the most interesting agency holdings is that of the Reconstruction Finance Corporation. The critical story of the construction during World War II of one of the world's largest magnesium plants at Boulder Dam—magnesium was vitally necessary to the construction of airplanes—can be reconstructed from the graphic and textual materials in the RFC collection. The RFC files contain over 4,000 pictures of construction progress; scores of newspaper clippings and pictures; a microfilm set of over fifty reels of books on metallurgy, inorganic chem-



*The All-American Canal project history contains hundreds of photographs including this one of farmers and teams excavating for the canal in 1935. The men were hired as a relief measure during the Depression.*

Los Angeles Federal Archives and Records Center



*Thousands of naval intelligence photographs from World War II are housed in the records center. This photo of Japanese publication shows an amphibious vehicle at army maneuvers on the Tamagawa River.*





*Naval intelligence files contain hundreds of photos of Southeast Asian cities. Pictured here is the shopping district of Hanoi in 1939.*

istry, thermodynamics, and electrochemistry; and a bibliographical index on a variety of related technical areas. A considerable portion of the microfilms are of German books that were microfilmed by the Library of Congress, among them *Gmelins Handbook of Inorganic Chemistry*, published in Berlin in 1938.

Similar files exist in other RFC records. One of the most extensive is the collection of one of the plants which produced synthetic rubber.

Another major source of photographs is the collection of the Atomic Energy Commission, which is one of the few containing colored prints. Among these pictures are several showing damage caused by underground and aboveground atomic bomb blasts. AEC facilities—towers, workers, and shelters—are shown in hundreds of pictures. One section of the AEC collection contains perhaps 50,000 photos, all labeled by code number, code name, and subject, and filed chronologically. These pictures include shots of every AEC test and test site during the late 1950's.

The age of deep space exploration is well represented in the center's graphic sources as well. The evolution of space flight is documented in the thousands of photographs, magnetic tapes, calibration graphs, video-tape recordings, and other technical media used to assemble, inspect, launch, and retrieve spacecraft. The National Aeronautic and Space Administration contractor, Caltech Jet Propulsion Laboratory, has sent to the center record collections created as a result of the Ranger, Mariner, and lunar explorations. These records now cover the period 1959-69 and will grow as space programs expand. Eventually, most Federal Records Centers will contain a nucleus of space records, which will add prominently to the growing fund of space technology.

The student of Japanese history, Chinese-Japanese and American-Japanese relations during the 1930's, and World War II in the Pacific will find the Naval Intelligence photograph files of incomparable value. This collection alone contains over 3,000 pictures and scores of maps. The photographs are filed topically in separate envelopes, under headings including aircraft, cities, ships, and harbors, as well as over two dozen other categories. Most of these pictures are of Japanese publication, and many were confiscated after the war. Half the pictures in this set are scenes of cities, factories, canals, and the Japanese countryside. One envelope contains a hundred pictures of various cities and scenic places in Manchuria, and other packets contain several hundred miscellaneous photos of the Malay Peninsula during the 1930's, scores of maps and charts of Manchuria, and two dozen pictures taken near Poltava in the Ukraine. The collection also includes over 400 photos taken in French Indo-China, Burma, India, Siberia, and Syria. The set contains various miscellaneous Japanese photographs of the Marianas, records of American oil shipments to Japan in 1940, and pictures of several high-ranking Japanese civilian and military personnel.

Besides the official naval photographs described here, the center has thousands of informal pictures of navy ships. Naval historians or nostalgic sailors may be interested in a variety of illustrated histories and annuals (including formal and informal shots) of decommissioned ships whose records are often stored in Federal Records Centers.

The holdings of barely a half-dozen agencies have been mentioned above; similar collections exist among many of the records of the three score agencies not touched upon.

In addition, the center has a plethora of loose photographs. One Indian collection has over 3,000 pictures, many with negatives, taken on Southern California Indian reservations during the years 1920-45. The agencies or reservations represented in this collection include Manzanita, Cahuilla, Los Coyotes, Barona, Morongo, Palm Springs, San Manuel, Santa Ysabel, Soboda, Torres-Martinez, San Pasqual, Santa Rosa, Campo, Laguna, La Jolla, and Mesa Grande, to name but a few. Other Indian pictures are filed by subject—hundreds of them, as it turns out—including athletics, clubs, health activities, historical scenes, disasters, people, families, school classes, field workers, farming homes, construction scenes, and natural scenes. About 500 of these photographs are unidentified, but the rest are labeled and sometimes dated.

Other Indian photograph files tell the story of illness, disease, and hardship, and allow the researcher to relive in graphic detail the Indian's struggle with the white man. These pictures are not restricted to Indian and cavalry warfare, but include the political struggles long afterwards which frequently ended with imprisonment of Indians on a wide variety of charges.

The graphic materials in the Los Angeles Federal Records Center include thousands of historical maps, including California cities and harbors as early as the 1860's; construction-progress maps of scores of federal agencies, including naval and military installations; and thousands of reels of motion pictures. Routine picture collections with little or no historical value have thousands of pictures, and naval files contain, it is estimated, hundreds of thousands of technical slides.

The collections briefly touched upon here are so extensive that they defy accurate estimation as to quantity, and they have unappreciated—even unimagined—historical value. Although many of the photographs have agency restrictions imposed upon their use, most files are open to scholars, and the pictures usually may be reproduced. Yet the collection at the Los Angeles center is in no sense unique; every Federal Records Center has a similar collection. These centers house great untapped sources of historical illustrations waiting to be used. Indeed, the diligent researcher is apt to turn up collections of graphic material whose existence is unknown and possibly unsuspected by the center archivists.

Pictures, newspaper clippings, magazine articles, and cartoons put flesh on the bare skeleton of written materials. They breathe life into the work of researchers and visually reflect the events of the past. For those who wish to see history as well as read it, for those who seek to reconstruct the past in graphic as well as written form, the materials they need are all here—unused, untouched, and, often, undiscovered.

#### NOTES

1. For information on the maps, charts, still pictures, microfilms, and motion picture films housed in the National Archives, write for the pamphlet entitled *The National Archives*, Publication No. 66-1, Sales Publication Branch, National Archives Building, Washington, D.C. 20408. On the background, organization, and holdings of the Federal Records Centers, see Gerald T. White, "Government Archives Afield: The Federal Records Centers and the Historian," *Journal of American History*, LV (1969), 833-42. Those interested in sources for illustrating articles on California history may profit from Norman E. Tutorow, "Graphic Illustrations in California History: A Guide to Sources," *Picturescope*, XVI (1968), 75-82.

2. The center's collection includes a number of less extensive project histories. One is the nine-volume *Project History of the Coachella Division of the All-American Canal*, from 1946-1954 (volume eight for 1953 is missing). Also deposited is the eleven-volume work on the Parker Dam Project of California Arizona. This set spans the years 1934-45 and contains 150 photographs, over fifty charts and maps, and extensive lists of visitors to the project. Related to the Parker Dam set are the histories of the Davis Dam Project, for 1942 and 1946-52, and the Parker-Davis Project, from 1951 to 1957. The former contains 130 pictures and seventy-five maps in six volumes. The latter has thirty photos and over 100 charts and maps, also in six volumes. Briefer still are the histories of the Palo Verde Division (1951-58), the San Diego Second Pipeline (1952-54), the Salt River Project (1935-39), and miscellaneous records of the Colorado River Front Work (1954-58).

## Book Reviews

*Flood Tide of Empire: Spain and the Pacific Northwest, 1543-1819.* By Warren L. Cook. (New Haven and London: Yale University Press, 1973. xiv + 620 pp. Photos, end-maps, appendices, index. \$17.50.)

*Reviewed by* THEODORE E. TREUTLEIN, *Professor Emeritus of History, San Francisco State University, and author of San Francisco Bay, Discovery and Colonization, 1769-1776.*

THIS MASSIVE BOOK SHOULD BE REQUIRED READING for those brought up on the inaccurate generalization that Spain's "decline" set in during the days of Ferdinand and Isabella. Contrarily, Spain continued to develop, and the empire reached its greatest extent in the year 1789 when Santa Cruz de Nootka became a Spanish outpost.

However, reviewers may be permitted to carp, and since there is so much supportive evidence that the Spanish Empire was not in flood-tide during the entire period, 1543-1819, one wonders why this excellent work was given the title it has. True, in the text the author does point out that the Nootka Convention of 1790 "in hindsight marks a watershed in Iberian history, the perceptible inception of an ebb-tide in empire." Yet, again, the volume's subtitle, "Spain and the Pacific Northwest," is too modest, since this impressive study considers in great detail the complicated international struggles of two continents which swirled about the coasts and waters from San Francisco Bay north to Alaska and involved Spain, Russia, England, France, and the United States.

Actually, Spain never was able to cash in (either diplomatically or commercially) on her claim that right of discovery established her exclusive rights to the control and exploitation of the Pacific Northwest. In the splendid, concluding Chapter 13, "Atrophy of Empire: The Factors," the author argues that Spain never really appreciated the region for itself, but followed a policy of trying to exclude rival nations as a means of protecting a possible penetration of Mexico. Commercially, Spain emphasized the exploitation of Mexico's mineral wealth, and the opportunity to profit from the furs and other resources in the northwest was never well utilized.

"Spanish mercantilism" (reviewer's words) stood in the way of a capable commercial development north of San Francisco. "The anticipation of a share in a valuable cargo of furs gave a compulsive vitality to the efforts of [non-Spanish] fur traders on the northwest coast, whereas Spanish seamen in the area stood to gain nothing but a dubious recognition of merit, a subsistence salary, and perhaps a promotion as a reward for the deprivations and anxiety endured there." (Appendix E, "Nationality of Vessels Visiting the Northwest Coast, 1774-1820," reveals that between 1774 and 1797—after which no Spanish vessels are listed—there were 43 Spanish visits, while in the same period there were 133 other visits: 69 British, 43 United States, 10 Portuguese, 6 French, 4 Swedish, and 1 Austrian. After 1797 until 1820 there were 24 British visits, and the United States ships totaled 232; from 1805 on, there were also 13 Russian visits.)

The Spanish did not colonize the region owing to the lack of surplus population which might have encouraged this development, although the author also considers the heavy-handed geographical environmentalist theory expressed by Humboldt and others that "the average Spanish American disdained such northern latitudes." But later he comments: "Had the Nootka crisis and Bourbon dethronement been averted, it is not improbable that the area could have remained in Latin American hands. Strange as a Spanish colony in that cool latitude might seem at first glance, a comparison with southern Chile removes the incongruity." This statement, however, does not remove the incongruity of the lack-of-population theme just expressed.

According to Cook, Spain also suffered a "propagandistic failure"; that is, she failed to make known until too late the exploits of her explorers (the "mantle of silence" strategy), so that her territorial claims against Britain and other rivals seemed to them preposterous. And Spain did not develop a missionary program for the Northwest, as she had done elsewhere.

But the ultimate failure of Spain to maintain her empire is ascribed by Cook to "her debilitating involvement in the crises of the French Revolution and the Napoleonic wars. Claims



based on prior discovery and symbolic acts of possession were of scant value to Madrid when they could not be supported in Europe from a position of strength."

One of the best features of *Flood Tide of Empire* stems from the author's anthropological background; especially useful and interesting is his analysis of the tactics and strategy of chief Ma-kwee-na (and others) and the relationship of the potlatch system to native trade with the Europeans. An excellent section (20 pages of cartographic and photographic reproductions), end-pocket maps of 1791 and 1802, and valuable appendices items complete the volume.

*California, An Illustrated History.* By T. H. Watkins. (Palo Alto: American West Publishing Company, 1973. 543 pp. \$25.00.)

*Reviewed by* WALTON BEAN, *author of California, An Interpretive History, and professor of history at the University of California, Berkeley.*

ANYONE WHO LIKES CALIFORNIA WILL LIKE THIS BOOK. T. H. Watkins, former editor of *The American West* and author of *Gold and Silver in the West* and *The Grand Colorado*, writes history with verve and wit; and in this, as in other volumes in the Great West Series, of which this is the largest, the author has had the assistance of the editorial staff of *The American West* in gathering a dazzling collection of hundreds of pictures. The book succeeds remarkably well in its objective of interrelating the past with the present. For example, an infra-red satellite photograph of the California coast taken from a height of 579 miles suggests how the coastal fog bank kept the little ships of the early explorers away from the rocky coastline and delayed the discoveries that came centuries later.

Most of California history has occurred so recently as to be within the era of usable photographs, roughly since 1850, and the great majority of the pictures in this book are photographs, most of which the reader is not likely to have seen before. For the earlier period, Watkins has relied largely on such paintings as Charles Nahl's "Fandango," "Incident on the Chagres," and "Sunday Morning in the Mines." These are more familiar, but they could hardly be omitted, and although they rely on the imagination of the later artist, so does written history rely in large part on the imagination of the later historian.

Watkins's style reflects the breezy expansiveness of America's traditional view of its West. On the vigilantes, for example, he follows the unrestrained enthusiasm of Roger Olmsted and ignores the penetrating criticisms of Richard Maxwell Brown. Yet Watkins's own criticisms provide some of the best passages in the book, such as his account of Robert F. Stockton, and of the Julian Petroleum scandal of the 1920's.

There are some mistakes. Watkins writes that the expedition of 1769, "contrary to much popular history, . . . was not considered a 'sacred expedition' by anyone but Serra and his Franciscan assistants." In fact, Gálvez himself so considered it, at least in major part, and when he journeyed to La Paz to see the naval part of the expedition off, he insisted on carrying some of the sacred mission paraphernalia on board ship with his own hands. The painting of a night scene in the gold country, on page 89, is labelled "artist unknown," although the original, which hangs in the Bancroft Library, is signed by B. V. Brooks. The photograph of "Peter Burnett" on page 102 is actually of James King of William, and that alleged to be of William M. Gwin on page 106 is actually of Burnett. The Oakland Museum does not "sprawl over much of the southeastern edge of the city," as asserted on page 477.

There are more than 150,000 words in the book, but much of this is commentary on the pictures, and within this scope, an adequate general history can hardly be expected.

Social and economic history are heavily stressed, partly perhaps because they lend themselves to pictorial treatment. Political history is slighted; less than 5 per cent of the material is political, though what there is is sprightly. Literary history is confined to a one-page appendix and bibliography to two pages. Picture credits are all in a single list arranged in such a way that it is extremely difficult to find the source of any particular picture.

For breadth of information and depth of analysis there are much better one-volume histories of California; but for liveliness and color this one ranks high. It will undoubtedly attract many thousands of readers, and it should.

*For Better or For Worse: The Ecology of an Urban Area.* By Harold Gilliam. (San Francisco: Chronicle Books, 1972. 184 pp. Illustrations. \$5.95.)

*Reviewed by* T. JACK KENT, JR., *professor of city planning, University of California, Berkeley.*

IN HIS NEW BOOK, *For Better or for Worse: The Ecology of an Urban Area*, Harold Gilliam has made another major contribution to the regional environmental movement which, since the beginning of the postwar period, has kept alive the possibility of a hopeful future for the Bay area. Readers of this important book will be enlightened and inspired by the author's appreciation of the natural wonders and breathtaking beauties of the Bay area; they will be informed by his historical perspective which highlights the almost unbelievable change in our environmental attitudes that took place during the 1960's; and they will be either shocked or delighted by his judgments concerning some of our large-scale construction programs, which he suggests should be abandoned just as soon as possible.

The book is composed primarily of reports and essays published in recent years. In grouping them together, however, the author has made them integral parts of a larger whole; edited and freshly interpreted, they tell us most of what will need to be known if the Bay area is to be the first major American metropolis to be saved from the enormously wasteful, unnecessary, brutal tragedy of metropolitan over-growth.

The introductory chapter explains clearly and persuasively why the Bay area's postwar environmental history may be unique and ought to be told. The author then alarms us with the DDT-brown pelican story, warns us to watch the all-knowing bureaucrat with a wary eye, and compels us to face the terrible dangers that are being risked by the leaders of both private and public power agencies.

The main body of the book presents an invaluable account of the victories and defeats in the postwar political battles for a better Bay area. It is a story of how concerned citizens, working within the "system," have changed established, pro-sprawl policies to compact-growth regulations, have stopped freeway plans, have saved vineyards, have limited expansion of utilities, have postponed dam-building, have begun to save the coast as well as the Bay, and have crystallized plans for a great greenbelt in the outer-ring of the region. Defeats and future dangers, dramatically symbolized by the approved "BATS" plan for another huge increase in the region's freeway system, are also reported. Finally, we are made to think about the possibility of new cities and the need for a new statewide approach to the problems of growth and the environment.

The most impressive characteristic of Gilliam's work is the way in which he educates his readers, leading him to put new knowledge to practical use in immediate, local situations. If the new environmental activists, young and old, read Gilliam's book soon enough, there could be the kind of "great leap forward" that is needed during the 1970's if the Bay area's marvelous metropolis and its great natural region are not to be overrun, disrupted, and made mediocre. If this happens, and the prospect that it can be made to happen before it is too late still exists, Harold Gilliam will be one of its creators and one of its heroes.

*Remain To Be Seen.* By Elinor Richey. (Berkeley: Howell-North Books, 1973. 180 pp. Illustrations. \$8.50.)

*Reviewed by* PHYLLIS BUTLER, *chairman of Santa Clara County's Historical Heritage Commission and a frequent contributor to Bay area newspapers.*

IN ELINOR RICHEY'S SECOND BOOK on social and architectural history for Howell-North, the author once again displays her considerable talent for historical writing and architectural research as she breathes life into some well-worn as well as fresh material about California's officially recognized landmarks. Her introduction speaks eloquently and convincingly for historic preservation; clearly, she is aware of what the preservation movement is all about.

No one can argue with her selection of featured houses from the 112 structures listed in the book; they represent the best of California's great houses open to the public. Although the list is generally available in the invaluable historical guide *Historic Spots in California*, Ms.

Richey covers twenty-two of the houses in depth, painting fascinating portraits of the inhabitants and the unique features that make these houses outstanding examples of historical architecture.

The book's somewhat slick format and repetitious photography layout bely the scholarly research apparent upon reading the entertaining text. Especially interesting is the account of Thomas O. Larkin's style-setting house in Monterey. The author has done her detective work well, and she gives us new and absorbing information on Larkin's post-consular days when he returned to the East Coast and his subsequent resettling in San Francisco.

Detailed material on the Governor's Mansion in Sacramento and the charming Octagon House in San Francisco is also fresh. Important Californios are well represented in the adobes of the Estudillo, Bandini, Avila, Pico, and Polomares families. In the recounting of Don Mariano Vallejo's grand Petaluma Adobe and Sonoma estate, many valid personal insights into the man and his times are offered. However, one might wish to see a better location map, and, to add variety, more early views and photographs of those who lived there.

Historians are notorious for delighting in catching each others' missteps—and I can't resist pointing out some errors in an otherwise excellent study of the Winchester Mystery House. Mrs. Winchester's sister did indeed follow her to California—in fact, the sister became a locally famous philanthropist in the Los Altos-Palo Alto area. Also, Mrs. Winchester moved her actual residence to Menlo Park before 1905 and "left the house" fairly regularly; however, she did continue to supervise construction on her unusual house near San Jose.

But these minor complaints are of little consequence to the overall quality and readability of this outstanding book.

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*Americans and the California Dream, 1850-1915.* By Kevin Starr. (New York: Oxford University Press, 1973. xviii, 494 pp. Illustrations. \$12.50.)

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*Reviewed by* CHARLES WOLLENBERG, *Reviews editor.*

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ACCORDING TO KEVIN STARR, nineteenth-century Americans "glimpsed a California of beauty and justice where on the land and in well-ordered cities they might enter into prosperity and peace." That is the "California dream" that Starr so effectively evokes—the best hopes of victorian California that still can be sensed in cool Maybeck living rooms or among shade trees planted long ago in warm ranch valleys. And perhaps elements of the old dream are reappearing in the contemporary concern for the natural environment, for Starr claims that "at the core of the [1850-1915] dream was the hope for a special relationship with nature. A passion for beautiful California filled the souls of the artists and intellectuals of the 1850-1915 period."

*Americans and the California Dream* is intellectual and biographical history in that Starr concentrates on the lives and works of a host of California writers and artists—Henry George, Jack London, Josiah Royce, John Muir, Gertrude Atherton, Frank Norris, and George Sterling among them. Often, the emphasis is on frustration and failure. Non-fulfillment of dreams and of personal goals is a dominant theme of the book.

Starr is a profoundly "present-minded" historian, and the concerns of the 1970's—ethnic and environmental issues and the quest for human happiness in Freudian and post-Freudian terms—are omnipresent in the book. Like many contemporary historians, Starr rejects the view of American history as a success story, and he reminds Californians that "no evocation of imaginative aspiration can atone for the burdens of the California past, especially the violence and the brutality."

But Starr also believes that "while the recovery of the past can traumatize, it can also heal." "Acknowledging the tragedy," he claims, "Californians must also attune themselves to hope." And there are hopeful examples in Starr's discussions of some of the most successful practitioners of the old dream: Joseph Le Conte, the great Berkeley teacher who sought a synthesis between science, philosophy, and religion, and Luther Burbank, the self-taught master botanist who also could dream of "children removed from fear growing strong in freedom and sunlight."

Starr's "present-mindedness" occasionally interferes with understanding the past on its



own terms, and some readers will take issue with his devastating portrayals of some of California's most beloved literary figures. He does not provide a convincing argument for 1915 as a logical cut-off date, and Southern Californians will be shocked to discover that the book all but ignores their region. (Starr promises to make amends in his sequel on the post-1915 period.) But the book's strengths far outweigh its weaknesses. It is regional history at its best—an attempt to define a regional culture within a national and universal framework.

Perhaps the fact that a Harvard Ph.D. and English professor such as Starr has turned to the writing of regional history is an indication of a renewed search for strength in local cultural roots amid the national traumas of Vietnam and Watergate. Starr has taken temporary leave from Harvard and returned to his native San Francisco to do political and administrative service for Mayor Joseph Alioto. As a scholar and as an activist, Kevin Starr seems intent on rediscovering and reinventing the California Dream.

*Essays and Assays: California History Reappraised.* Edited by George H. Knoles. (San Francisco: California Historical Society, 1973. 132 pp. Illustrations. \$4.95.)

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*Reviewed by* KEVIN STARR, *associate professor of English at Harvard University (on leave) and acting city librarian, San Francisco.*

STOCK-TAKING IS ALWAYS A DIFFICULT TASK, and when the object of assessment is California—past, present, and future—comprehension is challenged indeed. On 27 and 28 February, 1970, the Institute of American History at Stanford University sponsored a symposium on the past two hundred years of California history. Nine scholars presented papers, which George H. Knoles, director of the institute, has edited and the California Historical Society has just published. In a word, these addresses are marvelous: comprehensive without being superficial, impassioned and urgent, but never strained. With their very appearance they became important documents in the study of California because they represent the distilled knowledge, wisdom, and anxieties of California's most mature scholar-teachers. In a way, the genre these scholars are working in—the address verging upon the oration—forces them to get to the point and to reveal their innermost preoccupations. One feels the urgency of spoken speed in these essays, even after their undoubted revisions and editings. Each of them has, more or less, a similar preoccupation and source of dramatic tension, for in each of the selections a scholar faces up to the present crisis of that sector of California life he has made it his life's work to study.

The tension is most immediate in the addresses of John W. Caughey and Andrew Rolle which, respectively, open and close the anthology. Both scholars deal with the environment, nature in its most heroic perspective, that primal factor of identity in the Californian consciousness, despite the overwhelming urbanity of our civilization. Caughey chronicles a crescendo of catastrophes in the Californians' use of the land, while Rolle suggests its urban counterpart, the creation of a new Inferno of freeways and stucco sprawl. Caughey looks gently to an older, more humane use of resources. Rolle verges upon the apocalyptic as he surveys the future. Rodman Paul (on agriculture) and Gerald D. Nash (on economic growth) deal with both the sources of expansion and the mania for conglomerate abuse at the core of the trauma of the past few decades when California becomes Leviathan, or better, some new Godzilla run amok in matters of socio-economic behavior. Even Harold C. Kirker, whose study of California architecture of a decade or so back breathed such optimism, even Kirker seems depressed in the face of an epidemic of crass, unimaginative construction. Don E. Fehrenbacher manages to underscore once again American California's origins in an act of illicit seizure, while Moses Rischin dramatizes that racial prejudice is as constant a factor as attitudes towards the environment in understanding the California story. Not that these essays are unequivocally pessimistic. Each historian, of necessity in responding to the totality of events, has some hopeful and approving things to say. Yet a massive gloominess seethes at the core of each inquiry, a struggle with facts and trends and wrong choices made and forces unleashed—all of which seem to our brooding scholar-protagonists to point in some awful final direction, to that last disaster lurking in the Californians' subconscious since the turn of the

century, be its iconography that of drought, earthquake, a city in flames, or any number of obscene ritual murders which made Californians catch their breath in terror that perhaps, as they had in the days of the Indians, demons once again stalked the land. In these somber essays, coming at the end of the terrible 1960's, our historians feel a subtle fear that they have perhaps given over their lives to chronicling an experiment sown with the seeds of its own destruction. They are fearful because at the heart of California historiography since the days of the first county histories down to the more critical efforts of our own day has been something of a sustaining piety, a belief that California was heading towards the good, that one day men and women and the society they effected would be better here. This utopian imperative, our historians suggest (or grapple with as a possibility), this promise stands mocked in and by the present. The romance went first, and now departs the hope. Farewell, Bancroft and the Hittell boys! Sorry, Josiah Royce! And, of course, you had to be kidding, Helen Hunt Jackson, Mary Austin, and George Wharton James!

If we came here to be better, Walton E. Bean suggests, then even as reformers we acted unstably, rushing towards the easy consolations of left and right. Our politics went hand in hand with a larger obsession with the cosmetic solution and the easy answer.

In the address "California's Legacies from the Pioneers," Earl Pomeroy provides us with the raw materials of hope—although he does not explicitly allow himself such consolation. Indeed, it would take a new Royce to detect in today's vipers' tangle that process of good subsuming evil which the young Californian philosopher saw at work in the first decade of the state's history. "Where are we heading?" each of our historians asks us and themselves. "And where" (this in Whitman's words) "is what we started for so long ago?" Where, indeed, is that lost California of completion and repose? Did it ever exist in the first place? And, if it did not, what sort of society do we want to have? What myths can we allow ourselves in the face of so many broken hopes and dreams that were both betrayed and betraying?

Hard questions. To their great credit, the historians represented in this collection struggle towards the elements of an answer with both tough-mindedness and passion. These jeremiads hover on the edge of becoming elegies to a lost cause—and implicit in an elegy is an act of renewal.

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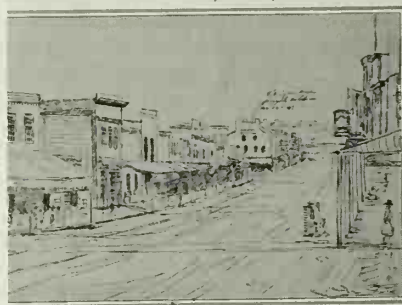
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# California Check List

PETER EVANS, *CHS librarian*

THE PURPOSE OF THIS LIST is to provide our readers with an on-going bibliography of recently published or soon-to-be published Californiana. Major publishing firms' nationally-distributed products, small local history groups' limited editions, and individuals' efforts all are welcome. We ask only that the books or booklets concern the California scene and be recent publications (1972 or later, although some reprints will be accepted as space permits and significance demands).

We particularly desire to list publications which would not be well advertised elsewhere, works more likely to be publicized by word-of-mouth than by an organized publicity campaign. Hence, we are dependent to a considerable degree on the response of our readers. If you know of a recent unlisted publication on California, please notify the compiler of this check list. Be sure to include the following basic bibliographic data: author, title, location and name of publisher, date of publication, number of pages, and price. If the item is a limited edition published by an individual or small group, be sure to give the address where the book can be purchased and any special ordering instructions. Send this information to Peter A. Evans, Librarian, California Historical Society, 2090 Jackson St., San Francisco, CA 94109. This listing in the *Quarterly* is, of course, free.

- Avina, Rose Hollenbaugh. *Spanish and Mexican Land Grants in California* (thesis 1932). San Francisco: R & E Research Associates. Reprint 1973.
- Baker, Hozial H. *Overland Journey to Carson Valley and California*. Ferol Egan, ed. San Francisco: Book Club of California. 1973.
- Bernhardi, Robert. *The Buildings of Berkeley*. Oakland: Holmes Book Co. Reprint 1973. (116 pp., \$8.50)
- Bieber, Ralph P., ed. *Southern Trails to California in 1849* (1937). Philadelphia: Porcupine Press. Reprint 1973. (\$20.00)—1317 Filbert St., Philadelphia, PA 19107.
- Brodhead, Michael J. *A Soldier-Scientist in the American Southwest; Being a Narrative of the Travels of Brevet Captain Elliott Coues . . . 1864-1865*. Historical Monograph No. 1. Tucson: Arizona Historical Society. 1973.—949 East Second St., Tucson, Arizona 85719.
- Caen, Herb. *The Cable Car and the Dragon* (juvenile). Illustrated by Barbara Ninde. Garden City: Doubleday and Company, Inc. 1972. (\$4.95)
- California Central Coast Genealogical Society. *1870 U.S. Census of San Luis Obispo California*. Morro Bay: California Central Coast Genealogical Society. Dec. 1973. (\$7.50)—Box 832, Morro Bay, CA 93442.
- California Indians I: Ralph L. Beals, et al., "Indians Land Use and Occupancy in California." New York: Garland Publishing, Inc. 1973. (3 vols., 1061 pp., \$21.00)
- California Indians II: Robert F. Heizer, "Indians of California," Herbert R. Harvey, "The Luiseno—Analysis of Change in Patterns of Land Tenure and Social Structure," Nona C. Willoughby, "Division of Labor among the Indians of California." New York: Garland Publishing, Inc. 1973. (288 pp., \$21.00)
- California Indians III: Erminie Wheeler-Voogelin, "Pitt River Indians of California," Ernest R. Neasham, "Fall River Valley: An Examination of Historical Sources." New York: Garland Publishing, Inc. 1973. (289 pp., \$21.00)
- California Indians IV: Alfred L. Kroeber, "Basic Report on California Indian Land Holdings," Harold E. Driver, ed., "Selected Writings of A. L. Kroeber on Land Use and Political Organization of California Indians," Ralph G. Lounsbury, "Mexican Land Claims in California." New York: Garland Publishing, Inc. 1973. (285 pp., \$21.00)
- California Indians V: "Sagebrush Corner—Opening of California's Northeast." New York: Garland Publishing, Inc. 1973. (286 pp., \$21.00)
- California Indians VI: Ralph L. Beals, "Indian Occupancy, Subsistence and Land Use Patterns in California," Indian Claims Commission, "Findings of Fact, and Opinion." New York: Garland Publishing, Inc. 1973. (379 pp., \$21.00)
- California Wine. Menlo Park: Lane Magazine & Book Company. 1973. (224 pp., \$12.95)
- Clar, C. Raymond. *Out of the River Mist: History of the Russian River Area and the Lumber Town of Guerneville*. Sacramento: Argus Books. 1973. (137 pp., \$7.75)—2741 Riverside Blvd., Sacramento, CA 95818.



- Coy, Owen C. *California County Boundaries* (1923). Rev. ed. Fresno: Valley Publishers. 1973. (\$15.00)
- De Angulo, Jaime. *Coyote Man & Old Doctor Loon*. San Francisco: Turtle Island Foundation. 1973. (\$5.00 plus tax)—2907 Bush St., San Francisco. CA 94115.
- . *Indians in Overalls*. San Francisco: Turtle Island Foundation. 1973. (\$6.00 plus tax)—2907 Bush St., San Francisco, CA 94115.
- Engbeck, Joseph H., Jr. *The Enduring Giants* (the redwood, *Sequoiadendron giganteum*). Berkeley: Univ. of California Extension. 1973. (\$3.00 plus tax)—Dept. P, Univ. Extension, Univ. of California, 2223 Fulton St., Berkeley, CA 94720.
- Faugsted, George Edward. *The Chilenos in the California Gold Rush* (thesis, 1963). San Francisco: R & E Research Associates. Reprint 1973.
- Federal Writers' Project. *California: A Guide to the Golden State* (1939). St. Clair Shores, Mich.: Somerset Publishers. Reprint 1972. (713 pp.)
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- Gray, Thorne B. *Quest for Deep Gold: The Story of La Grange, California*. La Grange, Calif.: Southern Mines Press. 1973. (44 pp.)
- Gregg, Kenneth. *Santa Ynez Valley*. Photography by Kenneth Gregg. Text by Fred King. Santa Barbara: Heyday Press. 1973. (45 pp.)
- Grice, Virginia M. *Pastor, Chaplain and Friend* (biography of Rev. Thomas Grice). Oxnard, Calif.: M & N Printing. Oct. 1973. (\$5.00)—Ventura County Historical Society, 77 N. California St., Ventura, CA 93001.
- Hamilton, Geneva. *Where the Highway Ends* (concerning Cambria area). Cambria: Williams Printing Company. 1973. (250 pp., \$7.50 plus tax)—P.O. Box 216, Cambria, CA 93428.
- Hill, Jane H., and Rosinda Nolasquez, eds. *Mulu'Wetam: The First People* (Cupeño Oral History and Language). Banning: Malki Museum Press. 1973. (\$6.50)—11-795 Fields Rd., Banning, CA 92220.
- Hoppes, Chad. *The Love Letters of John and Annie Bidwell*. Fresno: Valley Publishers. 1973. (\$6.95)
- Hoover, Robert L. *Chumash Fishing Equipment*. Ramona: Ballena Press. 1973. (17 pp., \$1.50)—P. O. Box 711, Ramona, CA 92065.
- Hurwitz, Karen E. *The History of John Marsh and Rancho de Los Meganos*. Martinez: Contra Costa Co. Development Assn. 1973? (\$1.25)—838 Escobar St., Martinez, CA 94553.
- Hussey, John A., ed. *Early Sacramento: Glimpses of John Augustus Setter, the Hok Farm and Neighboring Indian Tribes From the Journals of Prince Paul. H. R. H. Duke Paul Wilhelm of Wurttemberg*. Translated by Louis C. Butscher. Sacramento: Sacramento Book Collectors Club. 1973. (\$25.00 plus tax)—7440 Alexander Court, Fair Oaks, CA 95628.
- Jones, Solomon James. *The Government Riots of Los Angeles, June 1973* (thesis, 1969). San Francisco: R & E Research Associates. Reprint 1973.
- Kahl Associates. *Preservation and Management of California's Coastline: A Critical Analysis of the California Coastal Zone Conservation Initiative of 1972*. Washington. 1972 (275 pp.)
- Kirker, Harold. *California's Architectural Frontier; Style and Tradition in the Nineteenth Century* (1960). Santa Barbara: Peregrine Smith, Inc. 1973. (\$4.95)
- Leach, Frank A. *Recollections of a Newspaperman: A Record of Life & Events in California* (1917). New York: Beekman Publishers, Inc. Reprint. 1973. (\$16.00)
- Lewis, Oscar. *To Remember Albert M. Bender; Notes for a Biography*. San Francisco: Grabhorn, Hoyem. 1973. (38 pp.)
- Loftis, Anne. *California—Where the Twain Did Meet*. New York: Macmillan. 1973. (281 pp., \$7.95)
- Lortie, Francis N., Jr. *San Francisco's Black Community, 1870-1890: Dilemmas in the Struggle for Equality* (thesis, 1970). San Francisco: R & E Research Associates. Reprint 1973.
- McWilliams, Carey. *Southern California: an Island on the Land* (1946). Santa Barbara: Peregrine Smith, Inc. 1973. (\$3.95)
- Madison, Arnold. *Vigilantism in America*. New York: Seabury Press, Inc., 1973. (\$5.95)
- Mason, Jack, and Thomas J. Barfield. *Last Stage for Bolinas*. Inverness: North Shore Books. 1973. (168 pp., \$5.00)—P. O. Box 293, Point Reyes Station, CA 94956.
- Meler, Vjekoslav, ed. *The Slavonic Pioneers of California; Published on Occasion of the Diamond Jubilee, 1857-1932 of the Slavonic Mutual and Benevolent Society of San Francisco*. San Francisco: R & E Research Associates. Reprint 1972.
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# In Memoriam

DONALD INCH SEGERSTROM, 1919-1973

Don, past trustee of the California Historical Society, was an individual of foremost importance to the modern Mother Lode. Born at Sonora on September 29, 1919, the son of Charles H. and Carrie E. Segerstrom, he became noted as a historian, publisher, and mine operator. Married to Mary Etta Farrell on October 10, 1942, he was the father of four sons and one daughter—James, Ann Elizabeth, Donald, Stephen, and David.

Don came by his mining interests naturally. His maternal grandfather, Richard Inch from Cornwall, the superintendent of the Soulsbyville mine, had brought many of the Cornish miners to this location in the early 1860's. Don's father, Charles, banker of Sonora, originally from Sweden, was instrumental in developing the Nevada-Massachusetts mine in Nevada. The leading U. S. producer of tungsten in World War II, this mine was to become of major interest to Don and his brothers and sister—Charles, Richard, William, and Martha—until his death on August 30, 1973. In addition, he was a substantial owner of various gold, silver, and copper mining properties in the Mother Lode and on the east side of the Sierra. As publisher of the *Mining and Industrial News*, he was ever forceful in promoting the development of mining in the West.

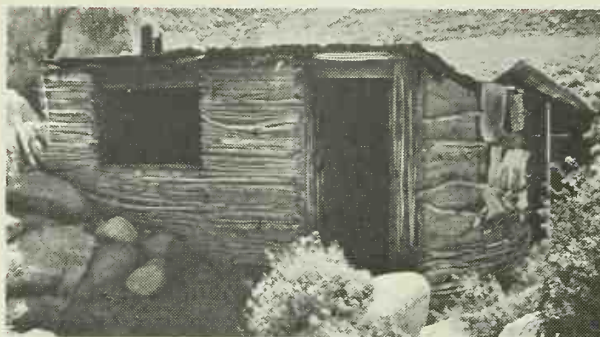
After his graduation in journalism in 1946 from the University of Nevada, Don devoted much of his time to the publication of the *Daily Union Democrat* of Sonora, which he had taken over in 1938. One of the oldest newspapers in California, it received a national newspaper award in 1952. Other publications which he headed were the *Mother Lode Magazine*, and, as mentioned above, the *Mining and Industrial News*. Always encouraging to others in publishing affairs, he was instrumental in bringing the *Pony Express Courier* to Sonora. His own newspaper library—the Segerstrom collection begun by his father, which concentrated on the southern Mother Lode—is considered outstanding in California, not to be exceeded by the California Historical Society, State, Bancroft, or Huntington libraries.

A member of many organizations, Don became chairman of the Golden Chain Council and served as an officer of the Mother Lode Highway Association. His greatest interest, however, was in history. Besides serving as a trustee of the California Historical Society, he was a founder and president of the Tuolumne County Historical Society and a leading member of E Clampus Vitus. In these capacities he encouraged the preservation and interpretation of historic sites and buildings, especially in the Mother Lode area and east of the Sierra. Among his foremost projects were the establishment of Columbia and Bodie State Historic Parks and the tracing of the emigrant trail through the Emigrant Basin. An outstanding authority on the Civil War, he participated in the Civil War Centennial. Most recently, he was a member of the American Revolution Bicentennial Commission of California. As a founder and vice-president of Western Heritage, Inc., he was instrumental in helping to develop research on such projects as Old Sacramento and the California Landing of Francis Drake, among others.

With the passing of Don Segerstrom, we have lost a true friend. Yet his inspiration carries on. His greatest monument is his family. He will be remembered always for his qualities as an individual and human being. Kindly, with a fine sense of humor, he gave of himself and his worldly goods for the advancement of his fellow man. No hypocrite, he detested those who acted falsely or with ulterior motive. Not overly religious, he was a leading member of the Episcopal Church in Sonora. A Republican, he showed a keen interest in politics. To sum it up, this was a man of the true West, in background, thought, and deed. His influence will be projected in his native land far into the future. Would that others may follow in his footsteps!

V. Aubrey Neasham

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